

Authority Board (WMA) and Energy Council (EC) Members

Jerry Pentin, **WMA, President**
City of Pleasanton, WMA

Dan Kalb,, **WMA 1st Vice President, EC President**
City of Oakland, WMA, EC

Greg Jones, **WMA 2nd Vice President, EC 1st Vice President**
City of Hayward, WMA, EC

Lorin Ellis, **EC 2nd Vice President**
City of Union City, WMA, EC

Keith Carson, County of Alameda, WMA, EC

Jim Oddie, City of Alameda, WMA, EC

Peter Maass, City of Albany, WMA, EC

Susan Wengraf, City of Berkeley, WMA, EC

Dave Sadoff, Castro Valley Sanitary District, WMA

Don Biddle, City of Dublin, WMA, EC

Dianne Martinez, City of Emeryville, WMA, EC

Suzanne Lee Chan, City of Fremont, WMA, EC

Laureen Turner, City of Livermore, WMA

Luis Freitas, City of Newark, WMA, EC

Shelia Young, Oro Loma Sanitary District, WMA

Tim Rood, City of Piedmont, WMA, EC

Pauline Cutter, City of San Leandro, WMA, EC

AGENDA

**MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT
AUTHORITY (WMA) BOARD,
AND
THE ENERGY COUNCIL (EC)**

Wednesday, October 28, 2015

3:00 P.M.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice by calling 510-891-6500. Members of the public wanting to add an item to a future agenda may contact 510-891-6500.

I. CALL TO ORDER (WMA & EC)

II. ROLL CALL (WMA & EC)

III. ANNOUNCEMENTS BY THE PRESIDENTS - *(Members are asked to please advise the board or the council if you might need to leave before action items are completed)*

Page **IV. CONSENT CALENDAR (WMA & EC)**

- | | | |
|----|------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1 | 1. Approval of the Draft Joint Minutes of September 16, 2015 (WMA & EC, separate Votes) (Gary Wolff & Wendy Sommer) | Action |
| 7 | 2. Minutes of the October 13, 2015 Technical Advisory Group (TAG) (EC only) (Gary Wolff, Wendy Sommer & Karen Kho) | Information |
| 11 | 3. Grants Under \$50,000 (WMA only) (Gary Wolff) | Information |

V. OPEN PUBLIC DISCUSSION (WMA & EC)

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the board or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes.

VI. REGULAR CALENDAR (WMA & EC)

- | | | |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| 15 | 1. Uniform Public Construction Cost Accounting Act (WMA only) (Gary Wolff & Pat Cabrera)
The P&A Committee by a vote of 10-0 (Carson and Turner absent) recommended that the Authority Board on October 28th: 1) waive reading of the full draft ordinance provided as Attachment A and schedule it for consideration of adoption at the November 18 WMA meeting, and 2) adopt the Resolution provided in Attachment B. | Action/
Public Hearing |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|

19	2. Total Compensation Study (WMA only) (Gary Wolff & Pat Cabrera) Approve the changes to Section XVII of Attachment A of the Human Resources Manual as identified in the staff report.	Action
21	3. Funding Approval – Castro Valley Sanitary District “Less Than Weekly” Residential Garbage Collection Pilot (WMA only) (Gary Wolff & Tom Padia) Staff recommends that the Authority Board authorize the Executive Director to finalize a funding agreement with the Castro Valley Sanitary District for its LTW pilot project, subject to approval as to form by legal counsel, for an amount up to \$200,000 (payment of actual expenses incurred), with funds to come from Project #3420, Residential Organics Recovery Pilots, in the FY 15/16 budget.	Action
	4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only) (Gary Wolff) (P&O and Recycling Board meeting, November 12 th at 7:00 pm – Castro Valley Public Library, 3600 Norbridge Ave, Castro Valley, CA 94546)	Action
	5. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Pursuant to subdivision (d)(4) of Government Code Section 54956.9 (one case; confidential materials mailed separately)	
23	6. Business Assistance Project – Fiscal Year 2014-15 Highlights (WMA only) (Gary Wolff, Rachel Basley & Michelle Fay) This item is for information only	Information
27	7. Final Legislative Status for 2015 (WMA only) (Gary Wolff, Debra Kaufman & Wes Sullens) This item is for information only.	Information
	VII. COMMUNICATIONS/MEMBER COMMENTS (WMA & EC)	Information
	VIII. ADJOURNMENT (WMA & EC)	

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**MINUTES OF THE JOINT MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD,
THE ENERGY COUNCIL (EC),
AND THE SOURCE REDUCTION AND RECYCLING BOARD (RB)**

Wednesday, September 16, 2015

3:00 P.M.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

I. CALL TO ORDER

President Jerry Pentin, WMA, called the meeting to order at 3:02 p.m.

II. ROLL CALL

WMA or EC or RB, as noted

County of Alameda	Keith Carson, WMA, EC (left 4:00 p.m.)
City of Alameda	Jim Oddie, WMA, EC
City of Albany	Peter Maass, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Don Biddle, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC, RB
City of Fremont	Suzanne Lee Chan, WMA, EC
City of Hayward	Greg Jones, WMA, EC, RB
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Rebecca Kaplan, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Tim Rood, WMA, EC, RB
City of Pleasanton	Jerry Pentin, WMA, RB
City of San Leandro	Pauline Cutter, WMA, EC

Absent:

City of Livermore	Laureen Turner, WMA
City of Union City	Lorin Ellis, WMA, EC, RB

Recycling Board only:

Environmental Educator	Toni Stein (arrived 3:40 p.m.)
Environmental Organization	Daniel O'Donnell
Recycling Programs	Adan Alonzo
Solid Waste Industry Representative	Michael Peltz
Source Reduction Specialist	Steve Sherman
Recycling Materials Processing Industry	Vacant

Staff Participating:

Gary Wolff, Executive Director
Wendy Sommer, Deputy Executive Director
Brian Mathews, Senior Program Manager
Heather Larson, Program Manager
Richard Taylor, Counsel, Authority Board

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Arliss Dunn, Clerk of the Board

III. ANNOUNCEMENTS BY THE PRESIDENTS

There were none.

IV. CONSENT CALENDAR (WMA, EC & RB)

- | | | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1. | Approval of the Draft Minutes of July 22, 2015 (WMA & EC-Separate Votes) (Gary Wolff) | Action |
| 2. | Approval of the Draft Minutes of August 13, 2015 (RB only) (Wendy Sommer) | Action |
| 3. | Recycling Board Attendance Record (RB only) (Wendy Sommer)
This item is for information only. | Information |
| 4. | Written Report of Ex Parte Communications (RB only) (Wendy Sommer)
This item is for information only. | Information |
| 5. | Minutes of the July 21, 2015 Technical Advisory Group (TAG) (EC only) (Gary Wolff, Wendy Sommer & Karen Kho)
This item is for information only. | Information |
| 6. | Minutes of the August 18, 2015 Technical Advisory Group (TAG) (EC only) (Gary Wolff, Wendy Sommer & Karen Kho)
This item is for information only. | Information |
| 7. | Grants Under \$50,000 (WMA only) (Gary Wolff) | Information |

Board member Biddle made the motion to approve the Consent Calendar for the WMA Board with the following correction. Board member Jones seconded and the motion carried 18-0 (Ellis and Turner absent).

(Correction: Board member Martinez indicated that on page 3, paragraph 2, the last sentence should state .1 FTE, and the sentence should conclude with a period.)

Board member Cutter made the motion to approve the Consent Calendar for the Energy Council. Board member Biddle seconded and the motion carried 17-0 (Ellis, absent).

Board member Rood made the motion to approve the Consent Calendar for the Recycling Board. Board member Maass seconded and the motion carried 9-0 (Stein absent).

V. OPEN PUBLIC DISCUSSION (WMA, EC & RB)

There was none.

VI. REGULAR CALENDAR (WMA, EC & RB)

- | | | |
|----|------------------------------------------------------------------------------------------------------------------------------|---------------|
| 1. | Sale of a Conservation Easement to Golden Hills LLC (Wind Farm Developer) (WMA only) (Gary Wolff & Brian Mathews) | Action |
|----|------------------------------------------------------------------------------------------------------------------------------|---------------|

Gary Wolff provided an overview of the staff report. The staff report is available here: <http://stopwaste.org/Conservation/Easement.pdf>

Board member Cutter made the motion to approve the staff recommendation. Board member Chan seconded and the motion carried 18-0 (Ellis and Turner absent).

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|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 2. | Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (WMA only)
(P&O and Recycling Board meeting, October 8 th at 4:00 pm – StopWaste Offices, 1537 Webster Street, Oakland, CA) | Action |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|

President Pentin and Board member Jones requested an interim appointment for the October 8th meeting. Board member Biddle stated that he would attend as the interim appointment for President Pentin. Board member Young stated that she would attend as the interim appointment for Board member Jones. Board

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member Martinez made the motion to approve the interim appointments. Board member Wengraf seconded and the motion carried 18-0 (Ellis and Turner absent).

3. Enforcement Update (WMA & RB only) (Gary Wolff & Brian Mathews)

Information

This item is for information only.

Brian Mathews provided a summary of the staff report and presented a PowerPoint presentation. The combined staff report and presentation is available here:

<http://stopwaste.org/Enforcement/Presentation.pdf>

Mr. Wolff publicly commended staff members of the enforcement team for their efforts on the enforcement project. Staff members recognized include Brian Mathews, Adrienne Ramirez, Elese Lebsack, Dean Stavert, Greg Morgado, and the inspectors that work for Stealth. Mr. Wolff added the team has created an enforcement capacity that did not exist five years ago and is doing a tremendous job.

President Pentin inquired how the out-of-county haulers are identified absent AB901. Mr. Mathews replied that for the most part landfills have been very cooperative in providing information. The largest numbers of active landfills in the near Bay Area are owned by Republic and they are covered by our cooperative agreement which requires them to provide us with the names of the haulers. In the case of Waste Management landfills (primarily Redwood, Kirby Canyon, and Guadalupe), they don't need to provide hauler information to us because Waste Management collects the fee for us. We have experienced difficulty in getting information from landfills in Solano County. The company most resistant to AB901 has been Waste Connections, the owner of the Protrero Hills landfill.

Board member Maass inquired if there have been issues with landfills out of State. Mr. Wolff stated that the ordinance exempts waste going out of State from fees to avoid any possible legal challenge involving interstate commerce clause. However, no waste from our County goes out of state.

Board member Kaplan inquired about the earliest start date for mandatory collection of organics. Mr. Mathews stated that the cities of Livermore, Albany, Berkeley, Emeryville, Alameda, and unincorporated Alameda County started July 1, 2014, and enforcement began January 1, 2015. Board member Kaplan inquired if small businesses have been phased in. Mr. Mathews stated that the small businesses are phased in according to the schedule indicated in the presentation. Board member Kaplan added the restaurants in Oakland are having difficulty with the new composting rates and staff is working hard to address the challenges. She also inquired about education and outreach for recycling and the balance between enforcement and education. Mr. Mathews replied the Mandatory Ordinance only covers the covered materials listed in the ordinance such as newspaper, white paper, cardboard, HDPE, PET, food and beverage containers, glass and metal food containers. A Styrofoam container with a metal top is not covered under the ordinance and therefore enforcement action would not occur in this instance. Each jurisdiction has their own list of accepted materials in their recycling program and those lists are on our website with links to each City as well as our hotline for the public to call in for assistance and information. Mr. Wolff added the website address is RecycleRulesAC.org. Board member Kaplan added that she would like to see illegal dumping included in agency enforcement efforts.

Board member Alonzo inquired if enforcement efforts target the illegal haulers that are stealing tons from residents and therefore away from Republic as they are the processing facility for residents in the Tri Cities area (Fremont, Newark, and Union City). Board member Alonzo stated that there is a facility in Fremont operating illegally that was shut down by the LEA over a year ago and inquired if enforcement action is viable in this instance. Mr. Mathews replied that the facility would need to be identified in the siting element of the COIWMP which we would then review. The agency has no jurisdiction with respect to scavenging. However there has been State legislation to discourage the scavenging by limiting the number of pounds (50) an individual can redeem in a day. Board member Biddle stated that revenue loss from the export of waste out of county to avoid fees is significant, and asked Mr. Wolff to share again with the Board estimates he had provided previously. Mr. Wolff stated that based on the 2013 and 2014 calendar year

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data from the State Disposal Reporting System, missed revenue attributable to tons leaving the County and which avoided the \$4.34 facility fee which they are subject to is \$300,000 to \$600,000 per year.

Board member Sherman stated many of the jurisdictions or cities that have franchised commercial recycling or franchised commercial organics prior to mandatory had an incentivized rate structure that kept recycling rates lower than garbage rates. Most of the cities have kept this structure and for those that have not is the agency considering putting additional resources in communities that have a perverse or disincentive rate structure or would the agency be adverse to putting in financial incentives as a fourth leg in the three legged enforcement chair (described in the presentation). Mr. Mathews stated for our enforcement program to be legitimate we must have a fair and equitable distribution of our resources and won't target a particular community one over the other based upon an unrelated decision that was made by that jurisdiction (e.g., the rate structure). This is evident in how we distribute our inspections in East, North and South counties. Additionally, the need for financial incentives is less where mandatory recycling is the law.

Board member Chan inquired about the timeframe for the three step process. Mr. Mathews replied that the inspection process began two and a half years ago and the initial inspection objective was two times per year. If a business was in compliance during both inspections they would shift to a once a year inspection cycle. If they were out of compliance we would inspect the business more frequently, every 4 months instead of every 6 months. If there was a second violation it would increase to every ninety days. After receiving a citation it could be as early as 30 days but due to the 30 day appeal period it could be within 60 days. The goal is to work with them to bring them into compliance. Board Chan inquired if there have been any citations issued of the 63 pending citations. Mr. Mathews stated no, but we have just received 2 citations that were approved by a Primary Enforcement Representative and Mr. Mathews concurred with the findings and will be issuing the citation. Mr. Mathews confirmed that the Primary Enforcement Representative from the City of Fremont is currently reviewing 33 citations for approval or disapproval and they will then be submitted to Mr. Mathews who will issue them.

Board member Rood inquired as to who is typically acting as the Primary Enforcement Representative. Mr. Mathews stated that the ordinance has a set of criteria that must be met and the jurisdiction's Chief Executive typically designates someone within their organization who has the specific training around code enforcement or law enforcement.

Board member Hannon inquired if the information provided to multi-family property managers designated for tenants is available in multiple languages. Rachel Balsley stated that the mandatory recycling rules are available in both Spanish and Chinese and a lot of signage is picture based which transcends language. Board member Hannon inquired if those property managers that have the opportunity to opt out and have the processor evaluate their materials are required to pay a fee for this service. Mr. Mathews stated no, not necessarily. Mr. Wolff added it depends on the rate structure which the agency does not set. Mr. Mathews clarified that Waste Management has not been certified as a High Diversion Mixed Waste Processing Facility for multi-family waste, only for commercial waste. Board member Hannon inquired if the agency charges the property a fee if a second inspection is required. Mr. Mathews stated no. Board member Hannon encouraged the agency to impose a fee if a second inspection is required as it requires additional resources to do that. Mr. Mathews replied that the ordinance as currently written does not allow us to do that. It would need to be amended. Board member Hannon inquired if the Board has the authority to amend the ordinance. Mr. Mathews stated yes, and added the fine from the violation could be used to cover inspection costs. We have not collected fines yet, but could use future revenue in that way. The fines vary according to the violation. There is a \$100 fine if it's a transient violation, non-transient violations are \$5 per day and we assume a 30 day violation period. Board member Hannon encouraged staff to consider a re-inspection fee in addition to the fine. Board member Hannon inquired about the amount of the fine for haulers transporting waste out-of-county. Mr. Mathews stated that we charge the \$4.34 per ton fee as well as \$100 per day violation.

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Board member Stein expressed her apologies for arriving late as she had a physical therapy appointment. She asked to be counted as present and expressed her vote for approval of the Recycling Board minutes. President Pentin thanked Mr. Mathews for the presentation.

VII. COMMUNICATION/MEMBER COMMENTS (WMA, EC & RB)

Information

Board member Alonzo announced that Fremont Recycling is not being sold to Republic Services.

VIII. ADJOURNMENT (RB only)

The Recycling Board portion of the meeting adjourned at 4:00 p.m.

IX. REGULAR CALENDAR

The Board adjourned to Closed Session at 4:00 p.m. and returned to Open Session at 4:35 p.m.

1. CLOSED SESSION (WMA only)

PUBLIC EMPLOYMENT

Pursuant to Government Code Section 54957(B)

PUBLIC EMPLOYEE APPOINTMENT

Executive Director

There was nothing to report from the closed session.

2. CLOSED SESSION: (WMA only)

(Pursuant to Government Code Section 54957.6)

CONFERENCE WITH LABOR NEGOTIATOR

Agency Designated Representative: Board Member Jerry Pentin

Unrepresented Employee: Executive Director

(confidential materials mailed separately)

There was nothing to report from the closed session.

3. OPEN SESSION: (WMA only)

A draft contract with Wendy Sommer was distributed. There were no public comments. Board member Cutter made the motion to approve the contract with Wendy Sommer to become Executive Director beginning January 1, 2016 after Gary Wolff retires at the end of December, 2015. Board member Jones seconded and the motion carried 16-0 (Carson, Ellis, and Turner absent).

4. PG&E Local Government Partnership: Contract Amendment (EC only) (Wendy Sommer & Heather Larson)

Action

Adopt the Resolution attached.

Heather Larson provided an overview of the staff report. The report is available here:

<http://stopwaste.org/PGE/Contract/Amendment.pdf>

Board member Rood indicated that it is unclear if the \$202,000 is new cost to the agency or pass-through from PG&E or a combination of both. Ms. Larson replied that it is all funding coming through PG&E. There is \$24,000 for agency staff for coordination, 10% admin overhead, and the remainder is pass-through for the East Bay Energy Watch (EBEW) Independent Partnership Manager position, benefits and expenses. Board member Rood made the motion to approve the staff recommendation. Board member Cutter seconded and the motion carried 15-0 (Carson and Ellis absent).

VIII. ADJOURNMENT (WMA & EC)

The WMA & EC portion of the meeting adjourned at 4:40 p.m.

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Energy Council
TECHNICAL ADVISORY GROUP (EC TAG)

Tuesday, October 13, 2015 – 1:00 pm to 3:00 pm

Attendance:

County of Alameda: Damien Gosset
City of Alameda: Maria DiMeglio (phone)
City of Albany: Claire Griffing (phone)
City of Berkeley: Billi Romain
City of Dublin: Kathy Southern
City of Fremont: Rachel Difrancio (phone)
City of Hayward: Mary Thomas
City of Hayward (fellow): Arianna Jules-Ouest
City of Oakland: Shayna Hirshfield - Gold
City of Piedmont: Emily Alvarez
City of San Leandro: Sally Barros
City of Union City: Avalon Schultz
StopWaste: Heather Larson, Miya Kitahara, Candis Mary-Dauphin
Guests: Richard Chien, SFE, Jackie Winkel, BAAQMD, Jane Elias, SCIEP (phone)

Meeting Notes

Board Updates

- Next EC Board meeting date; Oct 23, no EC items on agenda
- StopWaste sponsorship of EBEW PM approved at last meeting
- Board invited to attend ACWMA windfarm re-powering site visit

CCA Updates

- RFP for Alameda County CCA technical consultants was issued and reviewed , held bidders conference, contract start date is targeting Nov 4.
- City planner from the city of Piedmont was selected as local government representative
- Meetings changed to first Wednesday of the month

Climate Policy

- EC TAG provided feedback to BAAQMD regarding support to local government through Post 2020 Climate Action Planning initiative with tools and implementation including request such as:
 - Staffing support for next CAPs and inventories
 - Tools for monitoring emissions target progress
 - Funding for CAP development and implementation of projects

- Technical assistance with fleet
- Providing consumption based data on regional level
- Communicating grant information to local governments – through StopWaste in order to reach the right energy staff at each city
- No-idling campaign in South County – expanding to the entire Bay Area, perhaps focusing on school drop-off idling
- Increasing audit to retrofit conversion rate – energy coaches increase rate
- Existing buildings assistance - Leveraging what BayREN, energy watch, and PG&E are doing, instead of a new programs, filling gaps, such as fuel switching
- Regional Climate Protection Strategy & Consumption Based Inventory
 - Not meant to replace conventional inventory – alternate lense
 - Will be providing tools for this model: Excel model, maps, lookup tool
 - October 23 – AC GSA will have a meeting covering their application of consumption based model
 - Group is interested in scheduling a follow-up webinar with Chris Jones on Consumption Based Inventory model assumptions

Program Updates

- Multifamily program will utilize ~ 80% of additional funding requested for 2015
- Single family participation is outperforming other programs in the state

BayREN 2016 Program Planning

- BayREN and SFE established PACE for local governments website. It was intended to reduce the information gap for local governments. Includes a sample participation agreement
- BayREN is considering expanding this effort to develop best practices and putting together a more streamlined participation agreement through ABAG
- Agency concerns and comments:
 - Is there likely to be more operators? If there are more, the ABAG PA would be helpful.
 - Agencies that haven't adopted multiple PACE operators are interested in ABAG PA – may hold off on resolution and adopt the ABAG participation agreement once available
 - Even for those that have already adopted resolutions – agencies might consider going back to providers and suggesting adoption of ABAG PA
 - Providers are not representing themselves externally or reporting activity in a clear and consistent manor. In general local governments need to establish minimum standards of operation- RENs can help with this.
 - Consumer assistance
 - Having non-provider trainings would be useful
 - Sonoma County PACE provider comparison tool is used to prevent paralysis due to market confusion. Bay REN not currently taking

this on, but strong interest from TAG to have similar tools which support consumers

- Interest in a function that would allow users to enter type of upgrade and see eligibility across providers
- 2016 Codes & Standards activity requests:
 - It would be helpful if there could have been more description on each of the activities list in spreadsheet provided, as some were unclear what was meant by the heading
 - General interest in reach code development and support, ZNE & RECOs were topic areas discussed. Clarification that reach code development and support doesn't just mean in the event of an above code adoption, but rather addressing the technical, policy and regulatory barriers to get to a ZNE reach code. Hayward would be interested in policy support for adopting municipal ZNE policy and RECO
 - Residential fuel switching with a prescriptive approach
 - Having case studies to provide to property owners interested in pursuing ZNE
 - Interest in support for code development advocacy, constructive engagement between CEC and local building depts during code development process

September 2015 Local Government Water Policy Forum Debrief

- Hayward is bringing a model WELO ordinance to council this month, includes several reach components, will share ordinance
- StopWaste has a model ordinance and related resources on their website, including City of Hayward materials

Regulatory and Grant update

- Looking at CEC ZNE Application, no jurisdictions submitting application directly
 - Berkeley showed interest in partnering with SW on commercial sector buildings
 - Hayward – CSE East Bay and Chabot Community College
- DOE is releasing a funding opportunity for small and medium sized commercial buildings

MEMBER COMMENTS & DISCUSSION

- Climate Compact of Mayors – Piedmont considering. Hayward is in process. Oakland has signed.

NEXT TAG MEETING

- Tuesday, November 17 2015 from 1pm-3pm

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Date: October 21, 2015

TO: Authority & Recycling Boards

FROM: Gary Wolff, Executive Director
Wendy Sommer, Deputy Executive Director

SUBJECT: Informational Report on Grants Issued Under ED Signature Authority

The purchasing and grant policies were amended to simplify paperwork and board agendas by giving the Executive Director authority to sign contracts and grant agreements less than \$50,000. A condition of the new grant policy is that staff informs Board members of the small grants issued at the next regularly scheduled Board meeting.

Grants – September - October 2015

Project Name	Grant Recipient	Project Type/ Description	Location	Verification	Grant Amount	Board
Community Outreach Grants	United Roots	Non-profit grant funds to promote food scrap recycling to difficult to reach audiences. Grantee to utilize Agency outreach materials to reach their communities using their networks and social media.	Oakland	Submittal of outreach activities, final report.	\$5,000	RB
Community Outreach Grants	Girls Inc	Non-profit grant funds to promote food scrap recycling to difficult to reach audiences. Grantee to utilize Agency outreach materials to reach their communities using their networks and social media.	Alameda	Submittal of outreach activities, final report.	\$5,000	RB
Community Outreach Grants	Stonebrae Elementary PTA	Non-profit grant funds to promote food scrap recycling to difficult to reach audiences. Grantee to utilize Agency outreach materials to reach their communities	Hayward	Submittal of outreach activities, final report.	\$5,000	RB

		using their networks and social media.				
Competitive Grants to Nonprofits	MedShare	Hospital Waste Diversion-Reuse Expansion Program. Funds for equipment to increase throughput at warehouse facility.	San Leandro	Final report	\$40,000	RB
Competitive Grants to Nonprofits	Global Green	Deploying and assessing enhanced food scrap reduction and recovery programs at 15 multi-family buildings in 3 cities.	Albany, Alameda, Emeryville	Final Report	\$50,000	RB
Local Recycled Compost/Mulch	First Baptist Church	This grant supports the sheet mulch conversion of 4,368 sf of lawn to a drought-tolerant garden. StopWaste staff will give talk on sheet mulching to church members. On 10/24/15, church will hold a lawn-to-garden party for church members and community, including local Boy Scout troop. BFQP's provide design and technical assistance.	Alameda	In progress	\$5,000	RB
Local Recycled Compost/Mulch	Mission Hills Christian Fellowship	This grant supports the sheet mulch conversion of 4,028 sf of lawn to a drought-tolerant garden. StopWaste staff gave talk on sheet mulching to church members. On 9/26/15, church held a lawn-to-garden party for church members and community. BFQP's provide design and technical assistance.	Hayward	Complete	\$5,000	RB

Local Recycled Compost/Mulch	Community of Harbor Bay Isle Owners' Association (CHBIOA)	This grant supports the sheet mulch conversion of 3,100 sf of lawn to a drought-tolerant garden at an HOA with 4,900 homes. StopWaste staff will give talk on sheet mulching to HOA members. On 11/7/15, HOA will hold a lawn-to-garden party for community.	Alameda	In progress	\$5,000	RB
Technical Assistance & Services	John Stewart Company, property manager of Casitas Home Owner Association	This grant supports converting 33,000 sq. ft. of lawn with sheet mulch to a Bay-Friendly Rated Landscape. Located in a large visible corner lot, this project will serve as a community model.	Alameda	In Progress	\$13,050	WMA

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DATE: October 19, 2015

TO: Alameda County Waste Management Authority Board

FROM: Gary Wolff, Executive Director

BY: Pat Cabrera, Administrative Services Director

SUBJECT: Uniform Public Construction Cost Accounting Act

BACKGROUND

At the October 8, 2015 Programs and Administration (P&A) Committee meeting, staff discussed adopting the Uniform Public Construction Cost Account Act (UPCCAA) as an alternative to the Authority's current requirement to follow the state Public Contract Code (which requires formal bidding for public works projects over \$4,000). A full bidding process for public work projects over \$4,000 (which would include relatively minor repairs), is not an efficient use of public resources, and is not required under our current purchasing policy. The memo that discusses this issue including our current purchasing policy (Attachment C) for goods and services can be found at [P&A-10-8-15-UPCCAA-Memo](#).

DISCUSSION

The UPCCAA allows public projects estimated to cost \$45,000 or less (rather than \$4,000 or less), to be performed without a formal or informal bidding process and to use the informal bidding process for projects costing between \$45,001 to \$175,000. For projects over \$175,000 the UPCCAA requires competitive bidding. Therefore, if adopted, the UPCCAA would replace the burdensome contracting standards that currently apply to the Authority with an understandable set of rules to follow in contracting decisions. Our current purchasing policy (Attachment C) provides for competitive cost estimates to be obtained in most cases, and requires Board approval for projects over \$50,000.

RECOMMENDATION

The P&A Committee by a vote of 10-0 (Carson and Turner absent) recommended that the Authority Board on October 28th: 1) waive reading of the full draft ordinance provided as Attachment A and schedule it for consideration of adoption at the November 18 WMA meeting, and 2) adopt the Resolution provided in Attachment B.

Attachment A: Draft Ordinance
Attachment B: Draft Resolution

ATTACHMENT A

ORDINANCE #2015 -03

**AN ORDINANCE
TO PROVIDE FOR INFORMAL BIDDING PROCEDURES
UNDER THE
UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT
(CALIFORNIA PUBLIC CONTRACT CODE § 22000 ET SEQ.)**

The Board of the Alameda County Waste Management Authority ordains as follows:

SECTION 1 (Enactment)

The Board of the Authority does hereby enact this ordinance in full consisting of Section 1 through Section 6.

SECTION 2 (Informal Bid Procedures)

Public projects, as defined by section 22002 of the California Public Contract Code ("Code"), and in accordance with the terms of section 22032 of the Code, may be let to contract by informal procedures as set forth in sections 22032-22035 of the Code.

SECTION 3 (Contractors List)

The Authority shall develop and maintain a list of contractors identified according to categories of work in accordance with section 22034 of the Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission ("Commission").

SECTION 4 (Notice Inviting Informal Bids)

(a) Where a public project subject to the informal bid procedures pursuant to Section 2 is to be performed, a notice inviting informal bids shall be mailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with Section 3 not less than 10 calendar days before bids are due. The notice inviting informal bids shall describe the project in general terms, how to obtain more detailed information about the project, and state the time and place for the submission of bids.

(b) If there is no list of qualified contractors maintained by the Authority for the particular category of work to be performed, the notice inviting bids shall be sent to all construction trade journals as specified by the Commission in accordance with Section 22036 of the Code.

(c) If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

SECTION 5 (Award of Contracts)

The Executive Director is authorized to award informal contracts pursuant to this Ordinance for contracts that do not exceed \$175,000. Expenditures in non emergency situations that exceed \$50,000 per vendor/contractor per fiscal year also require Board approval. If all bids received are in excess of one hundred seventy-five thousand dollars (\$175,000), the Authority Board may, by adoption of a resolution by a four-fifths vote, award the contract, at one hundred eighty-seven thousand five hundred dollars (\$187,500) or less, to the lowest responsible bidder, if the Board determines the cost estimate of the Authority staff was reasonable.

SECTION 6 (Notice and Effective Date)

This ordinance was introduced and first reading waived on October 28, 2015 and adopted on November 18, 2015. It shall be posted at the Authority Office for at least thirty (30) days after its adoption by the Board and shall become effective thirty (30) days after the adoption.

Passed and adopted this __ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

I certify that this is a full, true and correct copy of ORDINANCE NO. 2015-XX which is on file in the Authority Office and that it was passed and adopted on the date indicated above.

**GARY WOLFF
EXECUTIVE DIRECTOR**

ATTACHMENT B

ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY

RESOLUTION #WMA 2015 –

MOVED:

SECONDED:

AT THE MEETING HELD OCTOBER 28, 2015

ELECTION OF

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES

WHEREAS, the Uniform Public Construction Cost Accounting Act (“Act”), Pub. Contract Code § 22000 *et seq.*, establishes a uniform cost accounting standard for construction work performed or contracted for by local public agencies; and

WHEREAS, the Commission established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects; and

WHEREAS, the Act provides a set of streamlined contracting rules for local public agencies that elect to be governed by the Act’s uniform construction cost accounting standard; and

WHEREAS, the Alameda County Waste Management Authority (Authority) would benefit from the application of those contracting rules and the uniform construction cost accounting standard;

NOW THEREFORE, BE IT RESOLVED, that the Authority hereby elects under Public Contract Code section 22030 to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the Commission’s policies and procedures manual and cost accounting review procedures, as they may each from time to time be amended, and directs that the Executive Director notify the State Controller forthwith of this election; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect upon the effective date of Ordinance 2015-XX TO PROVIDE FOR INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary Wolff, Executive Director

DATE: October 19, 2015

TO: Alameda County Waste Management Authority Board

FROM: Gary Wolff, Executive Director

BY: Pat Cabrera, Administrative Services Director

SUBJECT: Total Compensation Study

BACKGROUND

At the October 8, 2015 Programs and Administration (P&A) Committee meeting, staff discussed options related to the Agency's salary adjustment plan (referred to as Attachment A of the Human Resources Manual). The memo that discusses these options in detail can be found at:

[P&A-Comp-Study-Review-10-8-15.pdf](#).

DISCUSSION

As part of the Agency's salary adjustment plan a compensation study is conducted every three years (with implementation requiring Board approval). Pursuant to this schedule a compensation study would be conducted this year for possible implementation in FY2016/2017. As such, staff prepared a Request for Proposal (RFP) for P&A input. In addition, staff prepared an alternate proposal from the incoming Executive Director, Wendy Sommer. Ms. Sommer preferred postponing the compensation study as she would like more time in her new role to evaluate current classifications and assignments, some possible new classifications or reclassifications, and to work with the Executive Team and staff regarding any possible changes. However, Ms. Sommer did concur that conducting an analysis to evaluate the cost of having recycling ordinance inspectors directly employed by the Authority (as opposed to continuing with contractors) prior to the development of the FY16/17 budget was reasonable.

As discussed with the Committee, by postponing the compensation survey, section XVII of Attachment A of the Human Resources Manual will need to be modified since the results of the study will not be available in time to use them in the FY16/17 budget, as currently described in the Manual. Under the alternate schedule, and consistent with the last two years, the most current CPI would be used during the budget development process to adjust FY16/17 salaries (subject to Board approval). These changes are reflected in the revised language on the following page.

The P&A committee recommended by a vote of 10-0 (Carson and Turner absent) that the WMA postpone the RFP until the late Spring/early Summer of 2016, but initiate the analysis regarding the cost of in-house inspectors compared to contractors immediately.

RECOMMENDATION

Approve the following changes to Section XVII of Attachment A of the Human Resources Manual as follows:

XVII. **Unless otherwise approved by the Board,** ~~T~~the Agency will conduct a total compensation survey every three years to enable the Board to assess whether compensation remains competitive with the market. The Programs and Administration Committee will be consulted in the survey development process to help determine salary range placements and other pertinent criteria. In the ~~two~~ years between the surveys, salary ranges will be adjusted by the most currently available Consumer Price Index (CPI) - All Urban Consumers (San Francisco – Oakland- San Jose Area) as determined by the US Bureau of Labor Statistics (BLS), or a lesser amount if necessary to conform to the findings of the most recent total compensation survey. However, salary increases for employees will not be automatic even for cost of living adjustments (COLA). The Board will be asked to approve the salary ranges every year as part of the budget process. **The A-new next** total compensation survey is expected to be conducted in the **late Spring or early summer** of 2016.



DATE: October 21, 2015

TO: Alameda County Waste Management Authority Board

FROM: Gary Wolff, Executive Director

BY: Tom Padia, Principal Program Manager

SUBJECT: Funding Approval – Castro Valley Sanitary District “Less Than Weekly” Residential Garbage Collection Pilot

BACKGROUND

Ever since residential collection programs began allowing single-family customers to add food scraps to their organics carts that are collected weekly, solid waste managers have been intrigued by the idea of collecting the remaining garbage every other week (EOW) or less than weekly (LTW) as a way of reducing or controlling collection costs as well as helping participants to place more or all of their food scraps in the green bin rather than the garbage cart. This approach could potentially save 8-12 % of collection costs, and/or make some or all of the savings available to assist households in overcoming obstacles to wider participation in food scrap diversion.

The Recycling Board 5 Year Program Audit that was concluded in 2013 profiled the conditions and experiences in other communities that have adopted Every Other Week (EOW) residential garbage collection, including Portland, Oregon; Renton, WA; Vancouver, WA; and New Westminster, British Columbia (http://www.stopwaste.org/sites/default/files/Documents/5_year_audit_6-28-13.pdf). Given the success in Portland and other jurisdictions, and the potential to both drive up participation in organics diversion programs and significantly reduce or control future costs, the Authority budgeted \$50,000 in FY 14/15 to support one or more member agencies with piloting EOW residential garbage collection. Despite repeated offers to the member agency technical advisory committee (TAC) in 2014, no one expressed interest or was prepared at that time to move forward with a pilot. However, in recognition of the importance of pilot studies of ways to increase residential food scrap diversion, the agency budgeted an additional \$200,000 in FY 15/16 for “Residential Organics Recovery Pilots.” Funding in both years came from the Organics Processing Development Reserve Fund.

DISCUSSION

Towards the end of FY 14/15 the Castro Valley Sanitary District (CVSan) staff expressed interest in designing and implementing a pilot. CVSan staff initiated discussion with StopWaste staff and with consultants experienced in this arena. CVSan’s current franchise agreement with Waste

Management of Alameda County (WMAC) expires in mid-2019 and district staff are interested in gaining knowledge and experience through a pilot that will inform their process of structuring collection and outreach programs under a new agreement. As a result of preliminary discussions with WMAC, along with certain legal concerns, the pilot has been structured as a “Less Than Weekly” (LTW) pilot where residents on pilot routes will be strongly and repeatedly encouraged to set out garbage only every other week or less often as needed, but the truck will drive the route each week and will collect all carts set out. It is expected that a new contract that goes through a Prop. 218 process from the beginning would be able to incorporate true “Every Other Week” collection if that is the direction CVSan chooses to go.

In mid-August CVSan issued a competitive RFP for primary consultants to help design and implement a less than weekly (LTW) pilot. Two of the four respondents were interviewed and the team led by HF&H Consultants, with ESA and Kies Strategies as subconsultants, was selected. CVSan staff also solicited proposals for other outreach assistance. The end result of their efforts to design a pilot is reflected in Attachment A. CVSan staff went to their Board on October 6, 2015 and received approval to proceed with the pilot, contingent upon funding from StopWaste. The \$50,000 from FY 14/15 was encumbered for possible use by CVSan when they expressed interest in performing such a pilot towards the end that fiscal year. They are requesting additional funding up to \$200,000 from the current year budget, per the attached proposal. This amount has been budgeted, but approval for any amount in excess of \$50,000 per fiscal year per recipient is a Board decision. Some additional funds (e.g., \$50,000-\$100,000) will be needed within the "Residential Organics Recovery Pilots" project this fiscal year, for bag testing in jurisdictions other than CVSan, but we may be able to transfer those funds from another project in the mid-year budget without increasing the budget, or could if necessary draw those funds from the organics reserves, which have more than \$7 million at present.

StopWaste staff has been consulted by CVSan throughout this process. In addition to the budgeted funding, StopWaste will schedule and structure benchmark waste audits in Castro Valley to support the metrics of the pilot. There are still a few clarifications needed in the funding request from CVSan (Attachment A), such as the difference between technical assistance and incentives (incentives should not be provided for participation; that would affect the applicability of the results to other jurisdictions). These remaining clarifications can be done by the staff of the agencies before finalizing an agreement.

RECOMMENDATION

Staff recommends that the Authority Board authorize the Executive Director to finalize a funding agreement with the Castro Valley Sanitary District for its LTW pilot project, subject to approval as to form by legal counsel, for an amount up to \$200,000 (payment of actual expenses incurred), with funds to come from Project #3420, Residential Organics Recovery Pilots, in the FY 15/16 budget.

Attachment A: [Funding Request from CVSan](#)



DATE: October 19, 2015

TO: Alameda County Waste Management Authority Board

FROM: Gary Wolff, Executive Director

BY: Rachel Balsley, Senior Program Manager
Michelle Fay, Program Manager

SUBJECT: Business Assistance Project – Fiscal Year 2014-15 Highlights

BACKGROUND

The StopWaste Business Assistance project (formerly “The StopWaste Partnership”) has provided individualized waste reduction and diversion assistance to Alameda County businesses since 1998. Until 2010, the program primarily served large businesses with 10 or more cubic yards of garbage service per week. Some of the largest and most high-profile businesses in the county have received assistance from this program, including Ghirardelli Chocolate, Tesla Motors, and Kaiser Permanente.

The Business Assistance project has evolved over the last several years to address the changing needs of businesses as they seek to comply with ACWMA’s Mandatory Recycling Ordinance 2012-01, effective July 1, 2012. To align with the Mandatory Recycling Ordinance (MRO), beginning in Fiscal Year (FY) 2011-12 the StopWaste Business Assistance team has focused its efforts on building awareness and compliance with the Ordinance. To do this, the Business Assistance team has significantly expanded its reach to include all businesses covered by the Ordinance, not just those with 10 or more cubic yards of weekly garbage service.

DISCUSSION

This memo serves to provide a summary of the Business Assistance project and highlight some of the achievements as detailed in the StopWaste Business Assistance Program Fiscal Year (FY) 2014-15 Annual Report. A full copy of the report is available at: [MRO-TA-FY14-15-Report.pdf](#). Staff will also share a brief presentation at the October 28, 2015 Alameda County Waste Management Authority Board meeting.

Overview of Contractors and Services

As a result of a competitive RFP process in Spring 2014, Cascadia Consulting Group (Cascadia) was contracted to offer assistance and implement new or increased recycling and organics services at businesses located in jurisdictions participating in the MRO. Phase 2 of the MRO makes recycling mandatory for all businesses and added organics separation requirements for food-generating businesses, effective July 1, 2014, in participating jurisdictions.

Businesses were targeted in two ways: through enforcement referrals such as official notification or warning letters and the Ordinance Help Line, and through proactive targeting of businesses with little or

no recycling service, coordinated with City staff. On-site waste assessments, customized recommendation reports with recommended service levels and cost savings estimates, communication with service providers to initiate new recycling or organics collection, staff training, and follow-up implementation assistance were offered free of charge to participating businesses. Cascadia business assistance representatives are assigned to specific member agencies in order to foster continuity within a jurisdiction, maintain knowledge of local rates and services and relationships with hauler and member agency staff.

While technical assistance to multi-family properties has historically been provided by member agency staff or franchised service providers, in FY 2014-15, the Business Assistance Program implemented a small pilot program to explore organics technical assistance activities at multi-family properties. Environmental Science Associates (ESA) was on sub-contract with Cascadia to provide the in-field direct assistance to help multi-family property owners and managers start or improve organics collection programs.

Technical Assistance Highlights from the Past Year

- 1,264 commercial and 61 multi-family accounts were reached in FY 2014-15.
- Of the businesses reached, 320 received waste assessments and nearly 1,000 implementation activities were provided (more than one implementation activity can be provided to one account).
- A total of 305 services changes were implemented to begin new recycling and/or organics collection programs at businesses reached.
- These service changes resulted in an estimated 16,391 cubic yards or 1,547 tons of new diversion in FY 2014-15. By volume, 55% of the new diversion was single stream recycling and 45% was from food scraps/organics collection. However, since organics weigh significantly more than single stream recyclables, the new diversion was 88% organics and 12% recycling by weight.
- 68% of the businesses reached were contacted after they received an enforcement letter indicating MRO violations, and 32% were reached proactively based on service levels and member agency staff requests. The amount of enforcement letter referrals is up from FY 2013-14 and is expected to be the primary source of businesses reached in FY 2015-16.
- 41% of the businesses reached out to did not utilize our assistance. Of those 41%, approximately 22% informed the assistance representative that they initiated compliance measures on their own and/or directly with their service provider as a result of receiving an enforcement letter. The remaining 19% simply declined our assistance or did not respond to the representative's contact attempts.
- Of the 61 multi-family accounts reached, 26 multi-family properties added new organics and/or recycling service. While the reach to multi-family properties was small compared to business assistance efforts, the pilot helped the Program better understand how to play a role in helping multi-family properties comply with the MRO requirements.
- In collaboration with the Agency's Customer Relationship Management (CRM) team, the technical assistance management and tracking component of the system was restructured to improve efficiency of data entry and to prepare for the use of tablets in the field, which was implemented in Quarter 1 of FY 2015-16.

Free Indoor Food Scraps Bin Program

In addition to technical assistance, the StopWaste Business Assistance project offered financial support to businesses by way of indoor organics collection containers valued up to \$500. The Free Indoor Food Scraps Bin Program was implemented in December 2014 in place of the Business Mini-Grant Program

that had been offered since 1997. The previous Business Mini-Grant Program offered grants of \$500 to \$5,000 and historically gave out 10 to 30 mini-grants a year.

The newly-launched Free Food Scraps Bin Program was designed to expand the Agency's reach to businesses in need of indoor organics bins. Businesses complete a simple web-based application at www.RecyclingRulesAC.org/containers, and if approved, are given a list of containers to choose from three different partner vendors. StopWaste covers the cost of the order up to \$500, including taxes and shipping costs. These containers are often placed in break rooms, manufacturing floors, or kitchens for staff to effectively separate food scraps and food-soiled paper.

A total of 334 business sites were approved in FY 2014-15 to receive free organics bins. Of the approved applications, 217 businesses ordered equipment prior to their 1 month purchasing deadline. The total value of orders placed is approximately \$75,000 for FY 2014/15. The business assistance representatives reported that this program was an efficient way for them to connect with willing candidates for organics program set-up assistance, as well as for businesses to more comprehensively set up their internal collection infrastructure.

Looking Ahead

In FY 2015-16, with nearly a 400% increase in business accounts covered under the Ordinance compared to the prior year, the Business Assistance team will focus almost exclusively on compliance assistance to support businesses that have received enforcement letters or directly requested assistance. Multi-family organics assistance will also be provided to property owners/managers that request implementation assistance. We will continue to offer organics collection equipment to businesses through our Free Indoor Food Scraps Bin Program.

RECOMMENDATION

This report is for information only.

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October 20, 2015

TO: Waste Management Authority

FROM: Gary Wolff, Executive Director

BY: Debra Kaufman, Senior Program Manager
Wes Sullens, Program Manager

SUBJECT: Final Legislative Status for 2015

BACKGROUND

The first year of the 2015/16 legislative session has adjourned. The report below highlights the final status of the thirty one bills the Agency took positions on in April, 2015. The report also provides an update on our CalGreen code work this year which was one of the year's regulatory priorities.

In November 2015, the Waste Management Authority Board approved these three legislative priorities: 1. Improving the state's disposal reporting system, 2. Extended producer responsibility and 3. Green buildings and construction via the Cal Green Code update. Staff will return in November – starting at the Committee meetings -- to obtain input from the Boards on priorities for the 2016 legislative year.

DISCUSSION

StopWaste works in Sacramento to support its priorities and protect against legislation or regulations that would be detrimental to the agency. Staff prioritizes its time analyzing and working closely with partner organizations to support or oppose those bills that have the greatest potential to impact—either positive or negative—our waste-reduction goals. This typically amounts to 3-5 priority bills each legislative session with additional monitoring of 10-20 bills.

The Agency's lobbyist, Justin Malan, advocates our positions on a daily basis in the legislature. Staff provides testimony on the Agency's position for priority bills on an as-needed basis, and sends letters on all bills that we support and oppose to the author and committee members. In addition to advocating legislative positions through our lobbyist, we also advocate policies that support our mission within the purview of California regulatory agencies (e.g., CalRecycle, the California Air Resources Board, etc.).

In both legislative and regulatory work, we collaborate with multiple partners, recognizing that we are much likelier to be successful when we are part of coalitions rather than acting on our own. The Agency worked closely this year with Californians Against Waste and the California Product Stewardship Council, providing financial support to both.

Below is the final status of bills the agency took a position on in 2015. Of special note is the passage of AB 901, our top legislative priority and a bill we drafted and sponsored, as well as the adoption of several updates to the Cal Green Code that the Agency advocated for. Other highlights include the adoption of AB

199 which will provide tax incentives for manufacturing that uses recycled content and AB 876 which will require local governments to plan for and identify space for compost processing. A status of the bills is provided below followed by a detailed update on the CalGreen code status and successes.

Final Status of Bills the Agency took positions on in 2015

AB 45 (Mullin) HHW. This bill prioritized funding for door-to-door HHW collection and had no extended producer responsibility element. It was opposed by many local governments as it provided no financial assistance for existing HHW programs. Oppose.

Status: Dead

AB 190 (Harper) Bags. Oppose.

Status: Dead

AB 191 (Harper) Bags. Oppose.

Status: Dead

AB 199 (Eggman) recycled feedstock. Support.

Status: Signed by the Governor

Current law establishes the California Alternative Energy and Advanced Transportation Financing Authority to provide financial assistance for projects that promote the use of alternative energies and authorizes the authority to approve a project for financial assistance in the form of sales and use tax exclusion. This bill would expand projects eligible for the sales and use tax exclusion to include projects that process or utilize recycled feedstock, but would not include a project that processes or utilizes recycled feedstock in a manner that constitutes disposal.

AB 761 (Levine) Compost application. Support.

Status: Dead.

AB 802 (Williams) Energy Efficiency. Support

Status: Signed by the Governor

This bill will provide a framework for making whole building monthly energy use data available to building owners and managers in California. This will aid in the evaluation of energy efficiency measures. This was a late Agency addition to our “support” list based on its non-controversial nature and its alignment with Energy Council programs and objectives.

AB 864 (Williams) Solid waste facility permits. Oppose unless amended.

Status: Passed Assembly; and gutted and amended to become an oil spill bill

Since this bill was gutted and amended and no longer addresses solid waste issues, we dropped it. It became an oil spill bill and was signed by the Governor

AB 876 (McCarty) Compostable organics. Support.

Status: Signed by the Governor

AB 876 requires local governments to estimate their compost generation over a 15 year period and plan for 15 years of organics processing capacity. Beginning August 1, 2017, a county or regional agency would be required to include in its annual report to the Department of Resources Recycling and Recovery an estimate of the amount of organic waste in cubic yards that will be generated in the county or region over a 15-year period, an estimate of the additional organic waste recycling facility capacity in cubic yards that will be

needed to process that amount of waste, and areas identified by the county or regional agency as locations for new or expanded organic waste recycling facilities capable of safely meeting that additional need, thereby imposing a state-mandated local program.

AB 901 (Gordon) Solid Waste reporting requirements. Sponsor/Support.

Status: Signed by the Governor!!

This bill requires disposal facilities to give local governments and agencies like ours access to disposal information that is needed to accurately assess solid waste and recycling related fees. We drafted and co-sponsored this bill with San Mateo County, and CalRecycle. This represented a significant effort for the Agency this year and reflects a significant success for the year.

The bill will provide local governments with access to weight tag specific hauler information from disposal facilities, related to disposal originating in their geographic jurisdiction, subject to strict confidentiality requirements. The bill also provides CalRecycle with enforcement ability if required recycling, composting and disposal information is not provided by disposal, recycling and composting facilities.

This information will help local governments to accurately and fairly collect solid waste, recycling and franchise fees to pay for recycling programs and more accurately assess diversion levels. It will also help the solid waste industry by leveling the playing field so that all haulers and landfills pay the fees that they owe.

Additionally, access to this specific information will help local jurisdictions correct mistakes made with respect to jurisdiction-of-origin of waste and enforce local franchises. This legislation addresses a serious problem faced by operators of landfills and collection fleets, namely that there are operators who collect waste in violation of local franchise agreements and local ordinances or codes.

AB901 levels the playing field for the solid waste industry, protects honest haulers and businesses in the industry, and strengthens local government finance and capacity to enforce franchises. Because of this, the majority of the state's larger haulers supported AB 901 along with local governments and CalRecycle.

AB 997 (Allen) Recycling plastic material. Oppose.

Status: Dead; expected to become a two year bill.

AB 1019 (Garcia) Metal Theft. Support.

Status: Dead

AB 1045 (Irwin) Compost permitting streamlining. Support.

Status: Signed by the Governor

Would require the California Environmental Protection Agency, in coordination with the Department of Resources Recycling and Recovery, the State Water Resources Control Board, the State Air Resources Board, and the Department of Food and Agriculture, to develop and implement policies to aid in diverting organic waste from landfills by promoting the composting of specified organic waste and by promoting the appropriate use of that compost throughout the state. The intent is for this bill to aid in compost regulation streamlining by having the various agencies work more closely together on compost regulation development.

AB 1063 (Williams) Solid Waste disposal fees. Support.

Status: Dead.

AB 1103 (Dodd) Organic waste definitions. Support.

Status: Dead

AB 1136 (Steinorth) Bags. Oppose.

Status: Dead. Expected to be two year bill.

AB 1159 (Gordon) Sharps/Battery EPR. Support .

Status: Dead. Expected to be two year bill. This was the major EPR bill for the year and is expected to come back again in 2016. Heavy industry opposition contributed to the bill's failure.

AB 1239 (Gordon) Tire recycling. Support.

Status: Assembly Dead

AB 1247 (Irwin) Organic input materials as fertilizer. Support.

Status: Dead

SB 662 (Committee on Environmental Quality) Support.

Status: Signed by the Governor

This bill would authorize the Department of Resources Recycling and Recovery to expend money in the Recycling Market Development Revolving Loan Subaccount to make payments to local governing bodies within recycling market development zones for services related to the promotion of the zone.

SB 742 (Hertzberg) Solid Waste. Watch.

Status: Dead

AB 1377 (Thurmond) Recycling green material. Watch.

Status: Dead. Expected to become a two year bill

AB 1419 (Eggman) Recycling center abandonment. Support.

Status: Dead

AB 1447 (Low) Solid waste beverage containers. Support.

Status: Dead.

SB 47 (Hill) Environmental health and synthetic turf. Oppose unless amended.

Status: Dead

SB 162 (Galgiani) Treated wood waste: disposal. Support.

Status: Signed by the Governor

Current law requires the wood preserving industry to provide certain information relating to the potential danger of treated wood to wholesalers and retailers of treated wood and wood-like products. Current law requires these wholesalers and retailers to conspicuously post the information at or near the point of display or customer selection of treated wood and wood-like products, as specified. This bill would update the information required to be posted by wholesalers and retailers of treated wood and treated wood-like products.

SB 225 (Weickowski) Medical waste. Watch

Status: Signed by the Governor

This was originally a tire recycling bill that the Agency supported which was gutted and amended late in the process to become a medical waste bill. The bill would revise the definition of "biohazard bag" and would

limit the application of the requirement that film bags used for transport be marked and certified by the manufacturer as having passed specified tests only to those film bags that are used for transport from the generator's facility onto roadways and into commerce to a treatment and disposal facility. The bill would revise the requirements for biohazard bags that are used to collect medical waste within a facility, as specified. This bill contains other related provisions and other existing laws.

SB 732 (Pan) Beverage container recycling. Support.
Status: Dead. Expected to be a two year bill

SB 350 (De Leon) Clean Energy and Pollution Reduction Act. Support.
Status: Signed by the Governor.

SB 778 (Allen) Motor oil standards. Support if amended to raise quality standards for motor oil.
Status: Dead

AB 1435 (Alejo) toxics in packaging. Watch.
Status: Dead

AB 640 (Dahle) household hazardous waste. Watch.
Status: Dead. Expected to become a two year bill.

AB 1256 (Williams) Solid waste administration. Watch.
Status: Dead. Expected to become a two year bill.

Cal Green Code Update

The California Building Standards Commission (BSC) is nearing completion of the triennial building code update and adoption cycle. This code cycle, when concluded, will be the basis of the 2016 California Building Code, which is expected to take effect January 1, 2017.

StopWaste has been advocating for waste reduction and recycling code measures throughout the building code update process. StopWaste gathered input from our Board and has worked with our partners—including but not limited to CalRecycle and the California Invasive Plants Council (Cal-IPC)—to craft and/or support a suite of proposals for the 2016 code.

The most recent code hearing for the building code took place on August 25, 2015. This was a hearing in which the CALGreen Code Advisory Committee (CAC) reviewed and voted on proposed changes to the code. The CALGreen CAC is only an advisory committee, as such their can only recommend what the BSC should put forward in the final code for public comment.

StopWaste was present at the August 25th CAC meeting and participated in supporting several measures that affect materials management and recycling for all buildings that trigger the CALGreen code. A summary of our priority issues and the outcomes from the CAC meeting follow.

- **Compost & Mulch:** In April of 2015, Governor Brown issued an Executive Order that required statewide mandatory water conservation, including water used in landscapes. The Order directed the BSC to enhance water conservation requirements within the building codes, and specifically within CALGreen. The BSC worked with the state Department of Water Resources to update statewide the Model Water Efficient Landscape Ordinance (MWELO), and has since acted to include the MWELO requirements in CALGreen. As a result, compost and mulch are now required in the

new MWELo and in CALGreen. StopWaste was involved throughout the MWELo update process, and got recycled content included within the regulations.

- **65% C&D Recycling Requirement:** At the August CALGreen CAC hearing this change to increase the statewide C&D recycling rate to 65% (from 50%) was approved and recommended for public comment.
- **Post Occupancy Organics Recycling:** StopWaste worked closely with CalRecycle to modify the requirements for this code proposal. CalRecycle provided the financial analysis while StopWaste and others provide technical language and guidance on application. At the August CAC hearing, the code advisory committee recommended for approval this change to the code for all new nonresidential and multifamily buildings or those that alter more than 30% of floor area via renovation.
- **Recycled Content Building Materials:** StopWaste and CalRecycle were proposing to change this requirement from a “voluntary” measure in CALGreen (i.e. Tiers) and make it into a mandatory requirement of the code. This change faced opposition through 2015 because of concerns about cost and availability of products. Therefore, at the August CAC hearing, the proposal was not recommended as part of the mandatory code. However, significant changes to the voluntary “Tier” measure are being included based on the work StopWaste and CalRecycle did on this measure, including a prescriptive compliance option (rather than cost-based). These efforts may lead to the BSC considering this measure as a mandatory requirement in future code cycles.
- **Certified C&D Facility Recycling Rates:** While advocating for increasing the state C&D recycling rate to 65%, StopWaste was consulted by the code adopting state agencies as to what the next increment should be for “voluntary” exceedance of C&D recycling. The current version of CALGreen sets 50% recycling of C&D waste as a requirement, and has additional Tiers of achievement for 65% and 75% (Tier 1 and Tier 2, respectively). But with the state now requiring 65% in the 2016 code, state agencies considered increasing the thresholds to 75% and 85% respectively, but got significant push-back from builders and local government. StopWaste suggested a nuanced update: require for Tier 1 and 2 projects that C&D facilities that process mixed waste must have third-party verified facility diversion rates, but don’t increase the percentages from where they stand (65%/75%). This encourages better reporting and accountability for waste management plans, rather than making the requirements too onerous for project teams. The state agreed and the current version of CALGreen 2016 has a provision for 65%/75% diversion with third party verification of recycling facilities.

As shown above, our efforts with this round of code updates resulted in meeting all but one of our priority areas. However, the code development process is not quite complete. Currently the BSC has issued a full set of proposed revisions to the code which is now out for a 45-day public comment period (open October 9 – November 23, 2015). Following the 45-day review, the BSC expects to refine the code proposals and any corrected or changed code provisions will be issued in a second public review process. Following that, the BSC will vote to approve or disapprove the code changes wholesale (expected January 2016), after which the BSC will take 5 months to publish the new complete code (by July of 2016), then must wait a minimum 180-days before the new code becomes effective (expected January 1, 2017).

RECOMMENDATION

This item is for information only. Staff recommends that the Board receives this 2015 legislative status update and update on Cal Green code outcomes.

November 2015 Meetings Schedule

Alameda County Waste Management Authority, The Energy Council, & Source Reduction and Recycling Board

(Meetings are held at StopWaste unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	<p>9:00 AM Programs & Administration Committee Key Item: 1. Legislative Priorities for 2016 2. Unfunded liability Options</p> <hr/> <p>7:00 PM Planning & Organization Committee /Recycling Board Castro Valley Public Library Key Items: 1. Pleasanton Adequate Commercial Recycling 2. RB Grants Review 3. Unfunded liability Options 4. Legislative Priorities for 2016</p>	13	14
15	16	17	<p>3:00 PM WMA & EC Meeting Key Items: 1. Uniform Public Construction Cost Accounting Act 2nd reading and adoption 2. Unfunded liability Options 3. Legislative Priorities for 2016</p>	19	20	21
22	23	24	25	26 AGENCY HOLIDAY	27 AGENCY HOLIDAY	28
29	30					

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Bridgett Luther

President, Cradle to Cradle Products Innovation Institute



Lessons from the frontlines of the next industrial revolution

Tuesday, September 8, 2015 - 2:05am

EPEA, Hamburg

For the past five years I've been growing a certification program based on Cradle to Cradle design and thinking. Today, I'm letting friends and colleagues know that I'm leaving my position as president of the [Cradle to Cradle Products Innovation Institute](#), an organization I helped found. While this is nothing more than my choice to go in a new direction, I want to share some of what I've learned along the way.

Intentionality — the power of yes — is game changing

Over the last five years I've watched so many companies commit to a positive impact on the world and then do it. They send our organization their "report card" so they can be transparent about their journey — not only to themselves, but also the world — and the result is market leadership through continuing relevance and innovation. Companies can spend months thinking about their mission and goals, but there's little complexity and huge rewards to the commitment, "Let's make the world better," that's embodied in the [Cradle to Cradle philosophy](#).

There'll have to be a big investment in 'takeback' infrastructure

California has invested millions in its beverage container program and the result is billions of containers out of the waste stream and back into other products. And they've invested in incentivizing not only consumers but also communities with grants, low interest loans to waste managers and money to companies who actually take materials for recycling.

Until we see countries and other states deciding to make those types of investments, circularity hasn't much of a chance. As companies move through the certification standard, they actually start to design for and implement end-of-use strategies, but having big infrastructure investors would help speed up the process.

New materials are a big opportunity

The move towards transparency about "what's in my product" is a killer opportunity for chemical companies to get ahead of the curve. Instead of spending money on lobbying against regulations they could be investing back into their innovation portfolios, perhaps even, as the father of green chemistry, John Warner, famously has noted, beginning to train staff in toxicology and ecology, empowering them to understand the environmental impact of their work. The companies that do that now will have a big leg up over their competitors in the future.

We need to support industry disruptors

Whether it is Tesla cars or [Method cleaning products](#), these companies were way out front and deserve our purchases. Find them and help them on their paths of continual improvement, and then we will really start to change the way things are made.

We need to model change

Talking about living or doing with less to other countries and their companies just won't work. What we should be doing is creating good models that emerging economies can follow. (A simple one to follow? The Cradle to Cradle continuous improvement standard.)

We buy too much stuff

The fact that the storage industry is one of the fastest growing sectors in this country is damning. At the same time, we need to keep what we do buy in circulation, whether it is [last year's cell phone](#) or last season's T-shirt. Everything should have a place to go next.

Cradle to Cradle design is a good answer for just about all the big problems we see in the world. Too many toxins? Cradle to Cradle. Valuable materials going to landfills? Cradle to Cradle. Polluted water? Cradle to Cradle. Too much carbon in the atmosphere? Cradle to Cradle. Better treatment of workers? Cradle to Cradle.

I will continue to push the goals of the Cradle to Cradle Products Innovation Institute. Thanks to [William McDonough](#) and Michael Braungart, the foundation is strong. They did what they set out to do: give the certification program to the public through our nonprofit, and train other consultants around the world to help companies implement the program. The Institute's team is absolutely committed to scaling the program worldwide.

I applaud the more than 200 companies that have gotten on this path. I encourage others to join them. Here's my intention: "Make the world better."

What's yours?

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Fact Check: Reign of Recycling

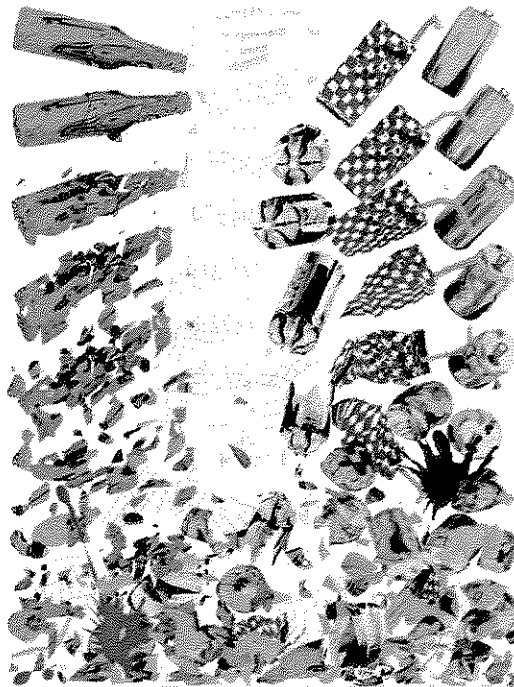
The New York Times (NYT Opinion) printed an opinion piece by John Tierney (@JohnTierneyNYC) that astounded us by the sheer number of inaccurate statements and misrepresentations about the economic and environmental impact of the recycling industry. We thought it would be helpful to point a bunch of them out and share third-party, verifiable sources.

-Closed Loop Fund Team
@LoopFund

Sunday Review OPINION

The Reign of Recycling

By JOHN TIERNEY OCT. 3, 2015



Samira Mashkini

If you live in the United States, you probably do some form of recycling. It's likely that you separate paper from plastic and glass and metal. You rinse the bottles and cans, and you might put food scraps in a container destined for a composting facility. As you sort everything into the right bins, you probably assume that recycling is helping your community and protecting the environment. But is it? Are you in fact wasting your time?

This article was debunked 20 years ago in a 17-page study by the Environmental Defense Fund [1]

Cities pay to send waste to landfills -- if they send to a recycling facility, it costs \$0. Many cities share the revenue when commodities markets are strong. For instance, New York City pays over \$100 per ton to landfills in Pennsylvania, Ohio, and South Carolina. For the 150k tons of paper recycled by New York City residents annually, New York City is paid a minimum of \$10 per ton as part of a long term contract. [3]

This statement about the Bronx is laced with some inaccurate social commentary. (1) The Bronx includes affluent, middle income and poor neighborhoods. (2) Residents in the Bronx do recycle. In fact, in 2014, residents in the Bronx recycled over 50,000 tons -- equivalent to the total amount of waste generated by a city of 100,000 people. [4]

In 1996, I wrote a long article for The New York Times Magazine arguing that the recycling process as we carried it out was wasteful. I presented plenty of evidence that recycling was costly and ineffectual, but its defenders said that it was unfair to rush to judgment. Noting that the modern recycling movement had really just begun just a few years earlier, they predicted it would flourish as the industry matured and the public learned how to recycle properly.

So, what's happened since then? While it's true that the recycling message has reached more people than ever, when it comes to the bottom line, both economically and environmentally, not much has changed at all.

Despite decades of exhortations and mandates, it's still typically more expensive for municipalities to recycle household waste than to send it to a landfill. Prices for recyclable materials have plummeted because of lower oil prices and reduced demand for them overseas. The slump has forced some recycling companies to shut plants and cancel plans for new technologies. The mood is so gloomy that one industry veteran tried to cheer up her colleagues this summer with an article in a trade journal titled, "Recycling Is Not Dead."

While politicians set higher and higher goals, the national rate of recycling has stagnated in recent years. Yes, it's popular in affluent neighborhoods like Park Slope in Brooklyn and in cities like San Francisco, but residents of the Bronx and Houston don't have the same fervor for sorting garbage in their spare time.

The future for recycling looks even worse. As cities move beyond recycling paper and metals, and into glass, food scraps and assorted plastics, the

According to the EPA, recycling rates doubled from 16% in 1990 to 28.5% in 2000 and to 34% in 2010 -- a 40% increase every decade. The piece from 1996 was wrong and the numbers every decade since continue to prove it was wrong [2]

Recycling facilities that service major cities such as Boston, New York City, Philadelphia, Baltimore, Washington D.C., Charlotte, Atlanta, Chicago, Phoenix, Seattle, Portland, San Francisco, and Los Angeles are all open for business and readily processing recyclables.

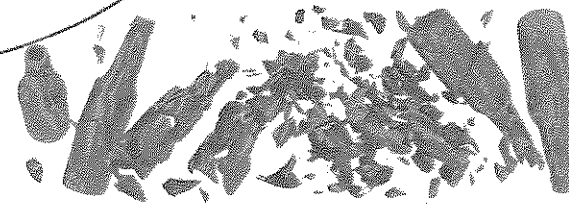
Below are examples of expansion and innovation in the recycling industry so far in 2015:

- Pratt has built three new recycling facilities this year in major metropolitan areas.
- 2 recycling companies - Canusa and GRS along with Bank of America and the Closed Loop Fund recently closed on financing of a multimillion dollar plastics recycling facility in Maryland that will service the East Coast.
- In Chicago, local recycling facilities are over capacity and in the process of building new facilities

Since 2000, New York City has spent over \$500 million dollars sending food scraps to landfill. New York City's organics collection program started under Mayor Bloomberg's administration and has been continued by the current administration saving taxpayers a significant amount of money.

Waste Management is the largest owner of landfills in the United States and stands to make a lot of money even if recycling stalls or declines.

costs rise sharply while the environmental benefits decline and sometimes vanish. "If you believe recycling is good for the planet and that we need to do more of it, then there's a crisis to confront," says David P. Steiner, the chief executive officer of Waste Management, the largest recycler of household trash in the United States. "Trying to turn garbage into gold costs a lot more than expected. We need to ask ourselves: What is the goal here?"



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to manage material. Sioneer is importing technology from Canada that can turn post-consumer recycled glass into an ingredient for concrete. Recycling companies usually pay to dispose glass because of the lack of end market. Sioneer will turn that cost center into revenue. [5]

Recycling has been relentlessly promoted as a goal in and of itself: an unalloyed public good and private virtue that is indoctrinated in students from kindergarten through college. As a result, otherwise well-informed and educated people have no idea of the relative costs and benefits.

They probably don't know, for instance, that to reduce carbon emissions, you'll accomplish a lot more by sorting paper and aluminum cans than by worrying about yogurt containers and half-eaten slices of pizza. Most people also assume that recycling plastic bottles must be doing lots for the planet. They've been encouraged by the Environmental Protection Agency, which assures the public that recycling plastic results in less carbon being released into the atmosphere.

But how much difference does it make? Here's some perspective: To offset the greenhouse impact of one passenger's round-trip flight between New York and London, you'd have to recycle roughly 40,000 plastic bottles, assuming you fly coach. If you sit in business- or first-class, where each passenger takes up more space, it could be more like 100,000.

Americans consumed 42.6 billion plastic water bottles in 2010. At that yearly rate, that is enough plastic water bottle waste to offset the greenhouse gas from 1065,000 round-trips between London and New York in coach every year. [6]

We spent \$15 to download this book and could not find this reference.

Even those statistics might be misleading. New York and other cities instruct people to rinse the bottles before putting them in the recycling bin, but the E.P.A.'s life-cycle calculation doesn't take that water into account. That single omission can make a big difference, according to Chris Goodall, the author of How to Live a Low-Carbon Life. Mr. Goodall calculates that if you wash plastic in water that was heated by coal-derived electricity, then the net effect of your recycling could be more carbon in the atmosphere.

To many public officials, recycling is a question of morality, not cost-benefit analysis. Mayor Bill de Blasio of New York declared that by 2030 the city would no longer send any garbage to landfills. "This is the way of the future if we're going to save our earth," he explained while announcing that New York would join San Francisco, Seattle and other cities in moving toward a "zero waste" policy, which would require an unprecedented level of recycling.

The national rate of recycling rose during the 1990s to 25 percent, meeting the goal set by an E.P.A. official, J. Winston Porter. He advised state officials that no more than about 35 percent of the nation's trash was worth recycling, but some ignored him and set goals of 50 percent and higher. Most of those goals were never met and the national rate has been stuck around 34 percent in recent years.

Just as it was not disclosed above that Waste Management would benefit if recycling stalled, the op-ed does not disclose that Mr. Porter works with the Reason Foundation, a climate change denying, pro-tobacco "think tank" funded by the Koch Brothers. [7]

Again, according to the EPA, recycling rates doubled from 16% in 1990 to 28.5% in 2000, and to 34% in 2010. At this rate, we expect cities to reach their 50% goal in the next decade.

"It makes sense to recycle commercial cardboard and some paper, as well as selected metals and plastics," he says. "But other materials rarely make sense, including food waste and other compostables. The zero-waste goal makes no sense at all — it's very expensive with almost no real environmental benefit."

Zero-waste goals makes no sense if you own a landfill. On the other hand zero-waste goals make sense if you are a taxpayer that does not want your tax dollars used to pay landfills and you want to reduce the number of large trucks delivering waste that are clogging our highways.

One of the original goals of the recycling movement was to avert a supposed crisis because there was no room left in the nation's landfills. But that media-inspired fear was never realistic in a country with so much open space. In reporting the 1996 article I found that all the trash generated by Americans for the next 1,000 years would fit on one-tenth of 1 percent of the land available for grazing. And that tiny amount of land wouldn't be lost forever, because landfills are typically covered with grass and converted to parkland, like the Freshkills Park being created on Staten

The Fresh Kills landfill did not close because it was full. It closed because the residents of Staten Island where

THE PROPOSED NEW COUNTRY TOWN SITE
it was located demanded that it be
closed because of the smell. [8]

Island. The United States Open tennis tournament is played on the site of an old landfill, and one that never had the linings and other environmental safeguards required today.

Though most cities shun landfills, they have been welcomed in rural communities that reap large economic benefits (and have plenty of greenery to buffer residents from the sights and smells). Consequently, the great landfill shortage has not arrived, and neither have the shortages of raw materials that were supposed to make recycling profitable.

With the economic rationale gone, advocates for recycling have switched to environmental arguments. Researchers have calculated that there are indeed such benefits to recycling, but not in the way that many people imagine.

Not sure how you define "economic rationale," but the recycling industry generates over \$236 Billion per year which is rationale for most people. [9]

Most of these benefits do not come from reducing the need for landfills and incinerators. A modern well-lined landfill in a rural area can have relatively little environmental impact. Decomposing garbage releases methane, a potent greenhouse gas, but landfill operators have started capturing it and using it to generate electricity. Modern incinerators, while politically unpopular in the United States, release so few pollutants that they've been widely accepted in the eco-conscious countries of Northern Europe and Japan for generating clean energy.

Not coincidentally, Northern Europe also has the highest recycling rates in the world. [10]

In major cities, most organic waste is likely to be processed in anaerobic digesters that convert food waste to natural gas.

Moreover, recycling operations have their own environmental costs, like extra trucks on the road and pollution from recycling operations.

Composting facilities around the country have inspired complaints about nauseating odors, swarming rats and defecating sea gulls. After New York City started sending food waste to be composted in Delaware, the unhappy neighbors of the composting plant successfully campaigned to shut it down last year.

A lot of the organics collected in New York City are actually processed at the Newtown Creek Anaerobic Digester located in Brooklyn where it is converted to clean natural gas or at the Staten Island Compost Facility where it is converted to compost. [11]

THE environmental benefits of recycling come chiefly from reducing the need to manufacture new products — less mining, drilling and logging. But that's not so appealing to the workers in those industries and to the communities that have accepted the environmental trade-offs that come with those jobs.

Nearly everyone, though, approves of one potential benefit of recycling: reduced emissions of greenhouse gases. Its advocates often cite an estimate by the E.P.A. that recycling municipal solid waste in the United States saves the equivalent of 186 million metric tons of carbon dioxide, comparable to removing the emissions of 39 million cars.

According to the E.P.A.'s estimates, virtually all the greenhouse benefits — more than 90 percent — come from just a few materials: paper, cardboard and metals like the aluminum in soda cans. That's because recycling one ton of metal or paper saves about three tons of carbon dioxide, a much bigger payoff than the other materials analyzed by the E.P.A. Recycling one ton of plastic saves only slightly more than one ton of carbon dioxide. A ton of food saves a little less than a ton. For glass, you have to recycle three tons in order to get about one ton of greenhouse benefits. Worst of all is yard waste: it takes 20 tons of it to save a single ton of carbon dioxide.

Food and yard trimmings represent 35% of the waste stream. Diverting it from landfill would create an enormous environmental and financial benefit. [12]

Once you exclude paper products and metals, the total annual savings in the United States from recycling everything else in municipal trash — plastics, glass, food, yard trimmings, textiles, rubber, leather — is only two-tenths of 1 percent of America's carbon footprint.

Recycling plastics alone will reduce more than 31 million metric tons of greenhouse gas — significantly more than two tenths of one percent. [13]

As a business, recycling is on the wrong side of two long-term global economic trends. For centuries, the real cost of labor has been increasing while the real cost of raw materials has been declining. That's why we can afford to buy so much more stuff than our ancestors could. As a labor-intensive activity, recycling is an increasingly expensive way to produce materials that are less and less valuable.

Recyclers have tried to improve the economics by automating the sorting process, but they've been frustrated by politicians eager to increase recycling rates by adding new materials of little value. The more types of trash that are recycled, the more difficult it becomes to sort the valuable from the worthless.

According to the New York City's Department of Sanitation's budget, the city spent \$336 million in 2014 sending waste to landfill. We can't find any numbers from the Department of Sanitation to support this \$300 figure. [14]

In New York City, the net cost of recycling a ton of trash is now \$300 more than it would cost to bury the trash instead. That adds up to millions of extra dollars per year — about half the budget of the parks department — that New Yorkers are spending for the privilege of recycling. That money could buy far more valuable benefits, including more significant reductions

in greenhouse emissions.

So what is a socially conscious, sensible person to do?

It would be much simpler and more effective to impose the equivalent of a carbon tax on garbage, as Thomas C. Kinnaman has proposed after conducting what is probably the most thorough comparison of the social costs of recycling, landfilling and incineration. Dr. Kinnaman, an economist at Bucknell University, considered everything from environmental damage to the pleasure that some people take in recycling (the "warm glow" that makes them willing to pay extra to do it).

He concludes that the social good would be optimized by subsidizing the recycling of some metals, and by imposing a \$15 tax on each ton of trash that goes to the landfill. That tax would offset the environmental costs, chiefly the greenhouse impact, and allow each municipality to make a guilt-free choice based on local economics and its citizens' wishes. The result, Dr. Kinnaman predicts, would be a lot less recycling than there is today.

Then why do so many public officials keep vowing to do more of it? Special-interest politics is one reason — pressure from green groups — but it's also because recycling intuitively appeals to many voters: It makes people feel virtuous, especially affluent people who feel guilty about their enormous environmental footprint. It is less an ethical activity than a religious ritual, like the ones performed by Catholics to obtain indulgences for their sins.

It makes sense to voters because recycling means spending less tax dollars on landfills and creating jobs at local recycling facilities.

Religious rituals don't need any practical justification for the believers who perform them voluntarily. But many recyclers want more than just the freedom to practice their religion. They want to make these rituals mandatory for everyone else, too, with stiff fines for sinners who don't sort properly. Seattle has become so aggressive that the city is being sued by residents who maintain that the inspectors rooting through their trash are violating their constitutional right to privacy.

It would take legions of garbage police to enforce a zero-waste society, but true believers insist that's the future. When Mayor de Blasio promised to eliminate garbage in New York, he said it was "ludicrous" and "outdated" to keep sending garbage to landfills. Recycling, he declared, was the only way for New York to become "a truly sustainable city."

They've also been recycling for thousands of years because it saves money.

Landfills are currently the most expensive form of waste disposal and they remain very dangerous. Just this week there was a major landfill fire at St. Louis that is threatening to release hazardous waste if it cannot be controlled. [15]

But cities have been burying garbage for thousands of years, and it's still the easiest and cheapest solution for trash. The recycling movement is floundering, and its survival depends on continual subsidies, sermons and policing. How can you build a sustainable city with a strategy that can't even sustain itself?

John Tierney is the writer of the Findings column for The New York Times Science section and co-author of the book "Willpower: Rediscovering the Greatest Human Strength."

Follow The New York Times Opinion section on [Facebook](#) and [Twitter](#), and sign up for the [Opinion Today newsletter](#).

A version of this up-to-date article is also on Screen 4, 2015, on page BR1 of the New York edition with the headline: The Reign of Recycling. Today's Paper: [Subscribe](#)

Here are the sources cited above:

1. Recycling is Not Garbage, MIT Technology Review, 1997
2. EPA recycling rates
3. Pricing chart for all landfills and transfer stations where NYC sends waste, the average price is over \$100
- 4.

NYC Department of Sanitation Borough Collection statistics

5. Recycling Expansion sources
 - * Pratt Industries News Release 1 and 2
 - * QRS-Canusa facility
 - * According to Alan Handley, CEO of Lakeshore Recycling Systems (the leading recycling companies in Chicago), due to capacity constraints experienced at peak times, his three Chicagoland MRF facilities have been unable to process over 100,000 tons of recyclable material in the last year.
 - * Canada Glass Processing Technology
6. Adam Minter blog post, Author of Junkyard Planet
7. Reason Foundation author bio
8. Fresh Kills Closure
9. United Nations Environment Program Global Environmental Alert Service Bulletin
10. UNEP OECD Recycling Rates
11. Newtown Creek Anaerobic Digester
12. EPA yard waste percentage
13. Recycling plastics and GHG calculations:
 - U.S. carbon footprint for 2013 = 6,673 million metric tons
 - 2/10 of 1% of 6,673m = 13,346,000 metric tons
 - 2012 plastic waste discarded = 28.95 million tons
 - Recycling this plastic will reduce 31,015,624 metric tons of GHG
 - Bonus: 31MMT of GHG = 6m cars off the road, more than the number of cars registered in the county of Los Angeles!*

14. NYC Department of Sanitation public budget
15. St. Louis toxic waste landfill fire

Letter submitted to the editor of the NY Times (not selected for publication):

“Whenever commodity prices fall, some national newspaper or magazine runs a front page piece about how the 'recycling emperor has no clothes.' John Tierney's opinion editorial on October 3 ("The Reign of Recycling") is no different. Should farmers stop growing food when abundant harvest causes low prices and no profit for one, or a few, years? Should we stop using recycled commodities because global economic growth has slowed, lowering the price of virgin commodities? These are transitory events, and those who are opposed to recycling never fail to use them to make their case. But the massive worldwide expansion of recycling in recent years is not a religious ritual without any practical justification, as Tierney would have readers believe. It expresses an opinion, grounded in science and the realities of population and economic growth, that we cannot feed, clothe, house, and otherwise support decent lives for 10 billion or more people without a massive increase in the production of material goods. And doing that without recycling means more environmental degradation than most people are willing to tolerate. Recycling, like energy efficiency and renewable sources of energy, are essential parts of the 21st century global economy.

In fairness to Tierney, we should ask: are we recycling too much? He says yes. But I, and many millions of Americans, say no. Are we wrong, if it is in fact true that New York spends \$300 more per ton for recycling than landfilling? No, because social benefits sometimes justify higher financial cost. What of Tierney's claim that the social benefits of recycling do not justify how much we recycle because an academic found they do not? He is (perhaps unknowingly) engaged in technocratic arrogance, not reasoned thinking. In economic theory, social benefits and costs depend on how one defines the public good. That is a subjective decision our society has decided is best made through democratic political processes. As an engineer and economist, I do not wail when politicians disagree with my calculated opinion. They are doing a tough, subjective job. Tierney and others who say the recycling emperor has no clothes should wail less, and understand economics better, before writing on this topic again.”

Gary Wolff, P.E., Ph.D.,
Executive Director, StopWaste

Oregon Department of Environmental Quality Response to John Tierney's New York Times opinion piece, "The Reign of Recycling"

Posted: Oct. 15, 2015.

On Oct. 3, 2015, *The New York Times* published an opinion piece ("The Reign of Recycling") by John Tierney) critical of recycling. Several local governments have asked DEQ for its response to that review. Other organizations, such as the Closed Loop Fund, have already published detailed rebuttals. Rather than a detailed, point-by-point analysis, we focus here on the Oregon context, and the extent to which Tierney's criticisms apply – or not – to recycling in Oregon.

Does Recycling Protect the Environment? Is it a Waste of Time?

Tierney writes, "If you live in the United States, you probably do some form of recycling . . . you probably assume that recycling is helping your community and protecting the environment. But is it? Are you in fact wasting your time? In 1996 . . . I presented plenty of evidence that recycling was costly and ineffectual, but its defenders said that it was unfair to rush to judgment . . . So what's happened since then? When it comes to the bottom line, both economically and environmentally, not much has changed at all."

This implies that recycling does not protect the environment and is uneconomical as well.

Is recycling bad for the environment? The most comprehensive evaluation of environmental impacts of recycling vs. disposal is a series of meta-analyses commissioned by WRAP in the United Kingdom. Researchers reviewed more than 200 life-cycle analyses comparing environmental impacts of recycling against impacts of landfilling and found – where data is of sufficient quality to support conclusions – that recycling is typically environmentally preferable. DEQ's own meta-analysis of food waste studies demonstrates that aerobic composting and anaerobic digestion are preferable to landfilling from the perspective of greenhouse gas emissions and soil health.

Recycling conserves resources (including energy) and reduces pollution (including greenhouse gases). Waste recycling by Oregon households and businesses in 2010 saved an estimated 29 trillion BTUs of energy (the equivalent of roughly 230 million gallons of gasoline) and reduced greenhouse gas emissions by roughly 3.4 million metric tons of carbon dioxide equivalents – comparable to the tailpipe emissions from more than 600,000 average passenger cars.

Is recycling a waste of money? While it costs money to recycle, so does the alternative. In discussing economic costs and benefits, it's important to consider full costs, not just the hard transaction costs that are included in the garbage bill. For example, greenhouse gas



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emissions result in social costs, such as changes in net agricultural productivity, human health, property damages from increased flood risk, and changes in energy system costs, such as reduced costs for heating and increased costs for air conditioning. The federal government estimates that reducing one metric ton of CO₂ equivalent (in 2015) results in social benefits of \$12 to \$120 (depending on choice of discount rate and statistic). If Oregon's recycling in 2015 reduces greenhouse gas emissions as much as it did in 2010, social benefits from one year's worth of recycling range from \$38 million to \$378 million. These represent the economic benefits of GHG reductions only and not other environmental benefits, which may be even larger.

Recycling Paper and Metal Makes Sense. What About Plastics and Food?

Tierney makes repeated criticisms of expanding recycling programs to address materials such as plastics and food. For example, he states, "As cities move beyond recycling paper and metals, and into glass, food scraps and assorted plastics, the costs rise sharply while the environmental benefits decline and sometimes vanish."

While the costs of recycling plastic and food may be higher than paper and metal, the environmental benefits are still very significant. An analysis by DEQ in 2011 looked at potential energy savings and greenhouse gas reduction that could be accomplished by recycling materials that are being thrown away each year. Of all materials, plastics had the highest potential for energy savings, and was also one of the more significant materials regarding greenhouse gas reduction, partly since plastic is such a high-energy material and so much of it is thrown away. Food waste composting did not provide any energy savings, but composting the food waste ranked second highest for greenhouse gas reduction of all materials being thrown away, right behind paper. This is because of the large amount of methane quickly generated in landfills when food waste is disposed, a significant portion of which escapes to the atmosphere before gas collection can begin. It was this analysis that was the impetus for food waste, plastic, and carpet (made mainly from plastic) to be targeted for increased recovery in Oregon's Senate Bill 263, passed in June 2015.

Tierney goes on to criticize plastics recycling by comparing it to flying. "To offset the greenhouse gas impact of one passenger's round-trip flight between New York and London, you'd have to recycle roughly 40,000 plastic bottles, assuming you fly coach." Yet while most Oregonians (and Americans) don't enjoy the privilege of flying to London, every household and business in Oregon has materials that can be recycled. In fact, the greenhouse gas benefits of recycling by Oregonians in 2010 (reductions in emissions of 3 million metric tons of carbon dioxide equivalent) is almost equal to the global emissions of all air travel by Oregonians to *all* destinations (not just New York or London) in that same year (3.2 million metric tons of carbon dioxide equivalent).¹

Are Recovery Goals Higher than 35 Percent Ill Advised?

Tierney states "The national rate of recycling rose during the 1990s to 25 percent, meeting the goal set by an E.P.A. official, J. Winston Porter. He advised state officials that no



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¹ For recycling benefits, see this report. For air travel emissions, see Table 4.1 of "Oregon's Greenhouse Gas Emissions Through 2010: In-Boundary, Consumption-Based and Expanded Transportation Sector Inventories," published by ODEQ, ODOE and ODOT July 18, 2013.

more than about 35 percent of the nation's trash was worth recycling, but some ignored him and set goals of 50 percent and higher. Most of the goals were never met . . . "

Oregon was one of the states to ignore J. Winston Porter's advice. Oregon's recycling rate was about 27 percent in 1991, when the state first set a goal of 50 percent recovery by 2000. By 1996, when Tierney wrote his first article, Oregon's recovery rate was 35 percent and by 2000, its recovery rate climbed to 39 percent. However, recycling did not stagnate as Tierney has claimed, but instead continued to climb. By 2005, Oregon's recovery rate was 45 percent, and by 2013, the state reached 50 percent recovery. About half of this recovery comes from private commercial recycling/recovery, such as scrap metal dealers, wood waste recyclers, yard debris composters, paper mills and larger retailers who sell their recyclables directly to mills. The remainder comes from the public recycling programs that Tierney criticizes, such as curbside recycling. Regardless of how the materials are collected, they clearly have recycling value; if they didn't, private companies would not be profiting by recycling them. Fortunately, Oregon ignored the advice of John Tierney and J. Winston Porter and has continued to expand and improve recycling opportunities.

Does Recycling Contribute to Pollution?

While acknowledging that recycling can reduce pollution, Tierney states that "recycling operations have their own environmental costs, like extra trucks on the road." The extra trucks are necessary to collect separated recyclables and transport them to market. While recycling trucks burn fossil fuels and create pollution, their impacts are very small and easily justified when one looks at the big picture. For example, a DEQ analysis for the City of Portland found that collecting 100 tons of separated recyclables from households (in a separate truck) results in roughly six metric tons of carbon dioxide equivalent (greenhouse gases). These are life-cycle fuel emissions representing both emissions when the fuel is burned in the engine, as well as emissions from extracting, refining and transporting it to the pump. When those 100 tons of separated recyclables pass through a sorting facility and eventually on to recycling end-markets (paper mills, steel mills, etc.) the resulting reduction in greenhouse gas emissions is almost 40 times higher: 232 metric tons of CO₂e. So yes, while recycling collection trucks contribute to pollution, these impacts are small when compared to the much larger benefits that they make possible.

Not All Recycling is Equal

Tierney points out that the environmental benefits of recycling different materials vary; not all recycling is the same. This is consistent with DEQ's understanding, and is why DEQ proposed and supported Oregon's Senate Bill 263 (2015), which among other changes, directs Oregon to begin calculating local waste recovery rates not only on the basis of tons of material (where all materials are treated the same) but also environmental outcomes, such as energy savings. This new approach, which DEQ proposes to implement by 2017, will provide local program managers a more refined understanding of the relative environmental benefits of different waste recovery programs, methods and materials.



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Is “Zero Waste” a Bad Idea?

Tierney criticizes political leaders in San Francisco, Seattle, New York and elsewhere for advocating for “zero waste.” Oregon has not adopted a “zero waste” goal or framework for some of the reasons that Tierney highlights: diminishing returns and increasing costs as recovery rates approach 100 percent. (DEQ’s other concerns with “zero waste” are summarized in [this paper](#)). Viewed from the perspective of the entire life cycle, there are some materials and some circumstances where landfill disposal will be the best option – both environmentally and economically. But that does not mean that current recovery programs (in Oregon or elsewhere) are necessarily optimal, or that waste recovery programs should not be further expanded or improved. As of 2010, nearly one third of the materials Oregonians disposed of as garbage consisted of readily recoverable materials, including cardboard, plastic bottles, and aluminum and steel cans.

Oregon Businesses Depend on Recycling

One aspect Tierney didn’t discuss is the importance of recycling to local economies. Many Oregon businesses depend on recycling. The state has a steel mill that depends on scrap metal; paper mills that produce new paper from cardboard, office paper and junk mail; a glass plant that produces bottles from old bottles; and a plastic plant that takes all plastic collected under the Oregon Bottle Bill and turns it into feedstock for making new bottles or other plastic items. These businesses depend on the recyclables we collect, as do the collection companies and processors who handle those materials.

Conclusion

Oregon has been a leader in recycling, first with the Bottle Bill in 1971, followed by the first statewide Recycling Opportunity Act in 1983, and then continuing with statewide Materials Management legislation (Senate Bills 245 and 263) this year. DEQ supports recycling when it makes sense: when it helps reduce pollution, saves money and conserves natural resources. Recycling continues to have long-term value. So Tierney’s implication that recycling is wasteful does not hold true for the recycling occurring in Oregon. In contrast, paying many dollars per ton to have these recyclables collected as garbage and thrown away would be a real waste.

Alternative formats

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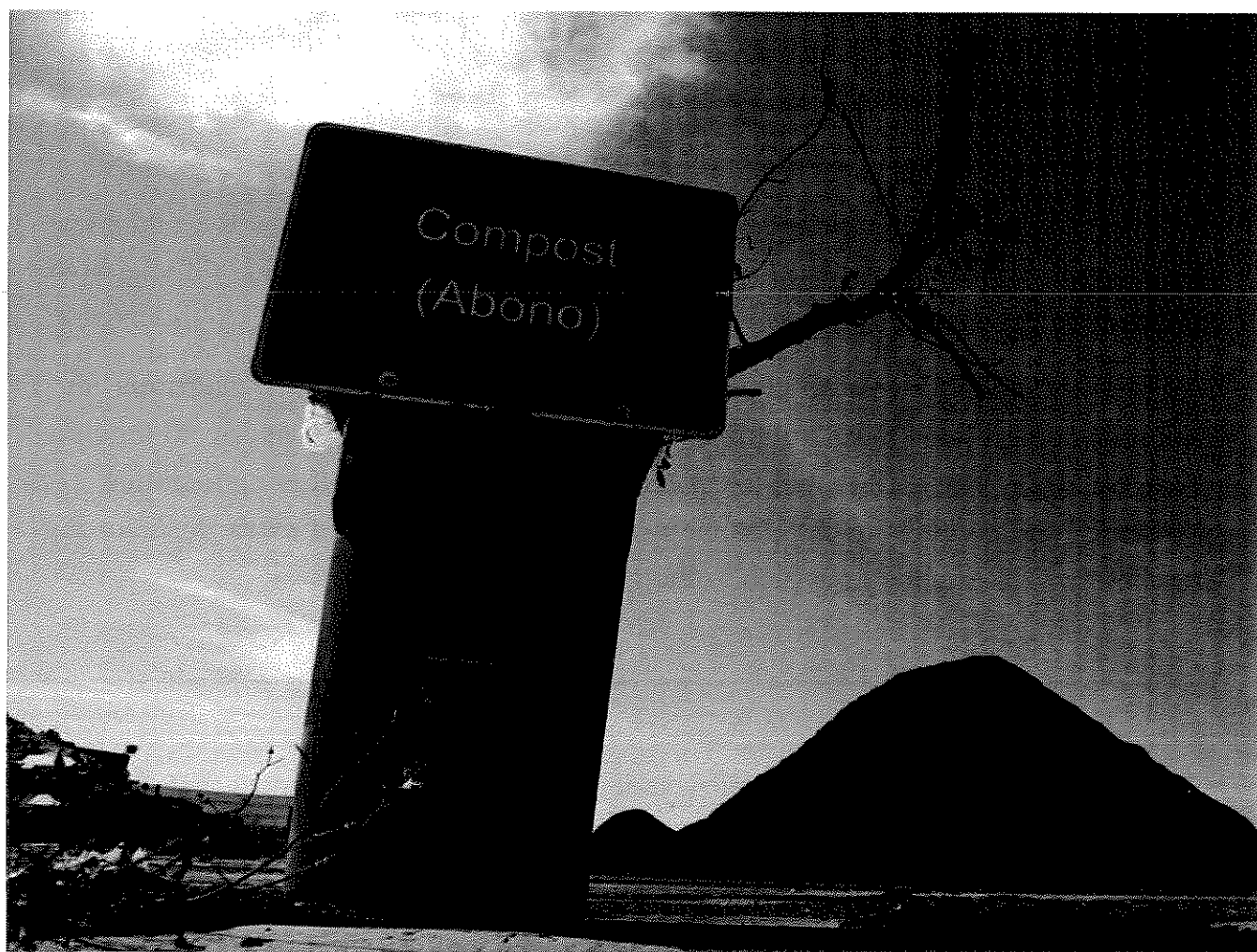
California pushes to make landfills food-free

HIGHLIGHTS

State wants organic waste out of landfills by 2025

Change would reduce harmful methane emissions, regulators say

Questions persist about capacity to handle the waste



1 of 3



BY JEREMY B. WHITE

jwhite@sacbee.com

Heather Maloney thinks of herself as an environmentalist but, as a working mother, doesn't have the time to create a backyard compost heap. The little bucket for food waste that Napa's recycling authority sent her offers a more convenient way to keep her leftovers from lining a landfill.

"You're already scraping plates and rinsing them off to put in the dishwasher, so it's a pretty easy system," Maloney said, standing in her kitchen. "It's definitely cut down on our trash."

Barbara Barstad is less enthusiastic. She gave up after being repulsed by the bugs and odor, two of the top three reasons Napa residents offered for declining to participate (the third came from people accustomed to putting food scraps in the garbage disposal).

"It just made a big mess," said Barstad, 76.

Those reactions can be expected to echo across California. Napa County, and a few select jurisdictions such as San Francisco, are incubating a policy that will take hold statewide in the next decade.

In a little-heralded move with potentially sweeping implications, the California Air Resources Board last month announced a push to halt disposal of nearly all organic waste by 2025. The shift would likely require building new processing facilities, prod cities and counties to develop ways to collect it, and add an extra trash-sorting step before Californians drag bins to the curb.

"People in California are pretty well-versed in sorting out those things that can be put to a higher and better end use than just being put in a hole in the ground," said Mark Oldfield, a spokesman for CalRecycle.

Gov. Jerry Brown and Democratic lawmakers lost a high-profile fight this year to halve the amount of oil and gasoline burned in California. But vehicles are not the only sources of climate-altering emissions.

Left to decompose in a landfill, food scraps and yard trimmings spew methane. But a composting facility, where smaller heaps of organic matter are regularly turned over and exposed to oxygen, emits much less. The Air Resources Board released its new proposal after Brown, stung by a defeat in the Legislature, vowed to flex his executive authority.

“Methane is a very potent pollutant,” said Californians Against Waste lobbyist Nick Lapis. “We believe that every Californian should be given the option of recycling their organic waste.”

The Air Resources Board is building on existing mandates. Bills that Brown signed into law set a statewide goal of recycling or composting 75 percent of waste by 2020 and compel businesses to recycle their food waste starting in April 2016.

“There will be some challenges in the back of the house and kitchens in terms of separating food, but those doing it already are finding they’re having far fewer trash pickups and are saving money already,” said Matthew Sutton, a lobbyist for the California Restaurant Association.

Starting next year, cities and counties will be required to have plans in place to manage the flow of commercial organic waste – everything from plant matter from nurseries to food scraps from restaurants. That obligation illuminates a broad underlying need: finding a place to put it.



Organic matter makes up nearly half of California’s solid waste, the total volume of which is projected to reach 80 million tons by 2020. Unlike such raw materials as glass and metal, it can’t be exported easily.

Facilities scattered around the state can absorb only a third to half of the 10 million tons of food and plant matter annually ending up in landfills, according to CalRecycle, and the amount of infrastructure has barely budged in the past decade.

“Figuring out where to take it is the hard part,” said Tim Dewey-Mattia, recycling and public education manager for Napa Recycling and Waste Services. “That’s probably the biggest challenge, is having the capacity in California to handle all this material that isn’t going to the landfill.”

The lack of space is especially acute in Los Angeles, argued Los Angeles County Integrated Waste Management Task Force member Mike Mohajer. His agency opposed the restaurant mandate, and Mohajer said a dearth of places to absorb solid waste – he estimated the county generates about 5 million tons of compostable organics annually but can process about 500,000 tons – requires shipping it elsewhere.

“The idea is to reduce greenhouse gas emissions,” Mohajer said, but trucking waste across long distances means “you have generally created more greenhouse gases.”

In Alameda County, large volumes of organic waste are already barred from entering landfills. Many businesses must recycle their food waste, and residents are provided special food scrap bins. Waste managers say they have enough space for now, but they recognize that could change.

“We’re aware it could be a problem if the whole state mobilizes, so we’re going to continue to talk to people about facility development,” said Gary Wolff, executive director of StopWaste, Alameda County’s public agency focused on reducing waste.

Building waste-processing facilities such as composting sites entails navigating a complex regulatory process that includes specific siting rules and protections for local water supplies. Mohajer said “it is next to impossible to get an air permit” for an outdoor composting facility.

It also costs money. Some of the funding could come from California’s cap-and-trade program, which requires businesses to purchase carbon emissions permits and then allocates the proceeds to emission-curbing products. Legislators submitted a raft of proposals for carving up that pot this year, requesting funds for everything from port improvements to clean trucks, and \$30 million has been allocated to CalRecycle.

“I think we’re certainly going to need investments using cap and trade dollars for creation of these facilities,” said League of California Cities lobbyist Jason Rhine, but even with that outlay, the initiative is “going to require additional money either from those developing these facilities or from our ratepayers.”

Composting the waste is one option. Napa has the advantage of a county-owned composting facility. Davis, which collected 255 tons of food scraps from businesses and schools last year and is planning to have residents separate their food waste into special carts starting next summer, sends its organic matter to a private composting outfit in Lathrop.

Other cities and counties could turn to technology that tries to spin garbage into gold.

Anaerobic digesters convert organic waste into biogas that can be used for fuel or electricity. Michele Wong, CEO of Sacramento-based digester manufacturer CleanWorld, described ballooning interest in the machines, which sell for \$3 million to \$12 million.

“Beginning this summer, we’ve seen incredible activity from the various municipalities as well as large waste producers starting to figure out how they’re going to handle the recycling of those organics,” Wong said. “There’s just a complete lack of infrastructure to deal with organic waste recycling.”

Proponents of getting organics out of landfills argue it’s not just an environmental necessity but a potential economic boon. If you can convert food scraps or lawn trimmings into compost or fuel, “you can really capture a lot of value,” said Ryan McCarthy, policy adviser for the Air Resources Board.

“To put organic waste streams in California to good use, and to tap into this resource which right now we’re burying in landfills and letting evaporate into the air in the form of a potent greenhouse gas” makes sense, he said. “It’s not a matter of the state or the industry needing to pony up the full capital cost and there’s no return here. There is a return.”

Allowing residents to recycle their organic waste can mean they pay higher collection costs at first, Wolff said. But he said shipping garbage to the landfill carries costs of its own and noted that converting carrot peels to compost “creates a revenue stream.”

“In the short term it might have a rate impact or cost more to add a service, but in the long run it keeps the cost down,” he said. “Getting organics back into beneficial reuse is a strong, important thing to do economically in the long run. It’s not just an environmental issue.”

Jeremy B. White: 916-326-5543, @CapitolAlert

CAN IT BE COMPOSTED?

Yes

- Fruits and vegetables
- Meat and bones, seafood
- Solid fats and grease
- Rice, beans, grains and pasta
- Bread
- Dairy products and eggs, including eggshells
- Pet food
- Napkins, paper towels, tissues and cotton balls
- Paper cups and plates
- Coffee grounds and filters, tea bags and loose tea
- Waxed paper, butcher paper and waxed cardboard
- Paper take-out boxes & containers, including pizza boxes
- Greasy pizza boxes & paper bags
- Leaves, grass, branches, stems and flowers
- Sawdust, chopsticks and toothpicks
- Hair, fur and feathers
- Manure

No

- Plastic bags or wrap, straws or other plastic items
- Styrofoam, glass, metal, aluminum foil
- Liquids
- Cat and dog waste, kitty litter
- Hazardous waste

Source: Napa Recycling and Waste Services

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Recology scores a victory in landfill agreement dispute



A vote rejecting an environmental review of a landfill contract was a win for Recology. (Michael Ares/Special to the S.F. Examiner)

By Joshua Sabatini on September 30, 2015 1:20 am



San Francisco's garbage is destined for a new home, following a Board of Supervisors unanimous vote Tuesday to reject an appeal for environmental review of a new landfill agreement.

The appeal was turned down even though garbage trucks will now have to travel 40 round-trip miles farther than before.

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The vote was a significant victory for Recology, who operates the Hay Road landfill in Solano County — the place San Francisco’s trash will now end up.

The company has long operated a trash hauling monopoly, but until now hasn’t had the landfill piece of the refuse business.

After a brief discussion, the board unanimously rejected the appeal calling for environmental review under the California Environmental Quality Act. The appeal was filed by Solano County Orderly Growth Committee arguing the Planning Department’s decision to not do the review was flawed.

The decision was a blow to Houston-based Waste Management, which operates the Altamont landfill where San Francisco’s refuse is currently trucked.

Adding to the political intrigue was the San Francisco Chapter of the Sierra Club, who threw its political might behind the appeal, including sending out 30,000 mailers last week. The mailers were similar to the 40,000 mailed by Waste Management.

Duane Kromm, a former Solano County supervisor and leader of the committee that filed the appeal, said the vote came as a surprise. “Eleven-zip against. I was appalled,” he said.

Kromm said “legal action” will likely be next, although he noted, “The problem with fighting garbage is the money is so big.”

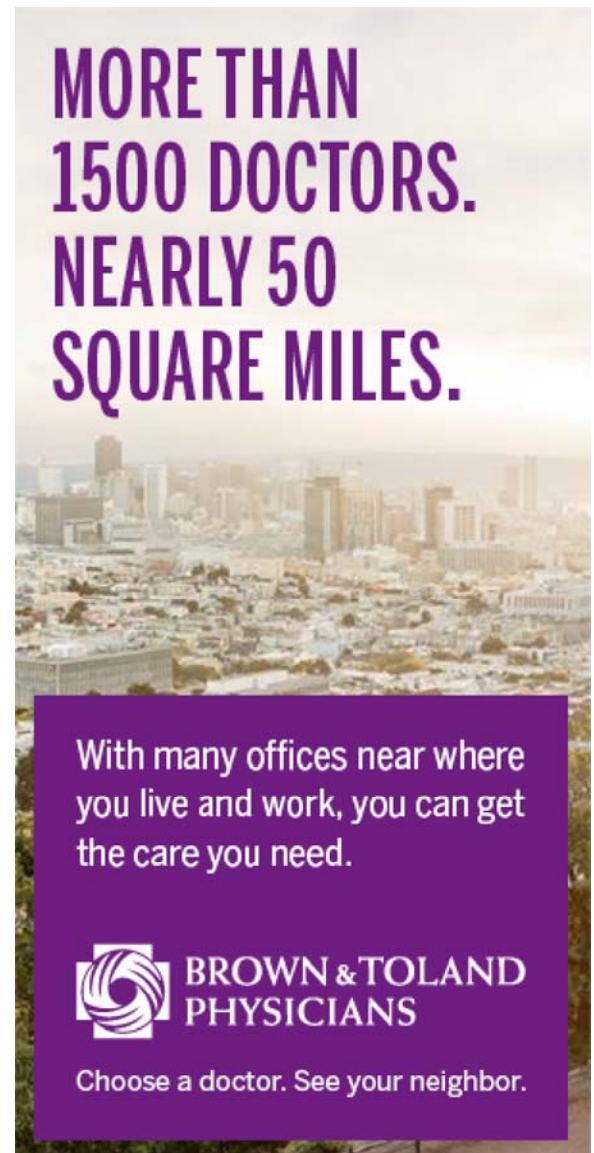
Supervisor Eric Mar, noting the landfill fight dates back many years, characterized the issue between Recology and Waste Management as “a battle with two elephants in the room.”

Supervisor Scott Wiener suggested the CEQA appeal was really about those who oppose the deal, not about environmental impacts.

“It strikes me as a dispute between some residents and Solano County and their own county government that they don’t want a landfill,” Wiener said. “I can’t blame them.”


Under the \$130 million landfill agreement with Recology, which Deborah Raphael, director of The City’s Department of the Environment signed in July, the company will haul the trash to its Hay Road landfill in Solano County, which is 155 round-trip miles away, about 40 miles longer than to the Altamont Landfill. There would be up to 50 truck trips per day.

Appellants argued a fuller review was needed to analyze the possibility of more than 50 trucks per day, suggesting disposed



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tons would increase — not decrease as assumed. Also they questioned the emission calculations, among other items.

Paul Maltzer, a San Francisco city planner, told the board that the decision was “pretty straight forward.”

“What is proposed is a change in truck routes,” he said.

Maltzer said adding the trucks to Interstate 80, which has an average daily volume of about 115,000 vehicles, is “almost irrelevant in terms of air quality impacts.”

Mark Arsenault, a Recology employee, said, “I am quite confident that our diversion efforts will exceed the growth of The City.”

Recology drew support from Tim Paulson, executive director of the San Francisco Labor Council and members of the Teamsters union, which represents trash haulers.

A previous landfill agreement approved by the board in 2011 for Recology to haul waste by rail to Yuba County was scrapped amid three lawsuits alleging improper bidding and inadequate environmental review. The Hay Road plan was Recology’s backup plan.

Guillermo Rodriguez, a spokesman for the Department of the Environment, said the contract with Waste Management is based on the number of tonnage disposed, which is expected to expire in January 2016. That is when the trucks are expected to start hauling the waste to Solano.

A pending lawsuit filed by Waste Management alleging improper bidding remains in the courts. A Recology spokesman previously noted Waste Management’s proposal would have cost “an extra \$13 million a year.”

Last year 373,940 tons of San Francisco’s waste ended up in the landfill. The City has a goal of sending no waste to the landfill after 2020.

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